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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 21, 2009.

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

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

CALIFORNIA'S THIRD CONGRESSIONAL DISTRICT'S PERSPECTIVE ON HEALTH CARE LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DANIEL E. LUNGREN) for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, last night I had a telephone town hall with constituents in my district. As I made the call, I informed them that we were going to discuss any subject they wanted, but I wanted to concentrate on health care. As a result, I had one of the largest responses I ever had. Thousands of people got on the line. Most times, there were no less than 1,400 people on the line. I didn't choose them by party. I didn't choose them by income. I didn't choose them by occupation. It was random, calling people in my district.

The response was overwhelming, overwhelmingly negative with respect to the plans they hear about that are coming from the White House, the Senate and the House. Why were they negative? They were negative because the people in my district were concerned about whether or not the government was going to dominate health care in this country, and those who were satisfied with their plans—even though they had some imperfections, even though they had some desire to have them improved, but by and large had made choices with respect to their plans—wondered whether their freedom of choice would be taken away by the government plan presented by the President and by the leadership in both the Senate and the House. It was interesting, they also were very concerned about the cost. When they hear the word $1 trillion, they begin to think that this particular plan has real problems. As we discussed the various aspects of it, they referred me to the CBO, the Congressional Budget Office's report that disappointed the White House and the Democratic leadership in the House and the Senate because the report suggested that this program cannot pay for itself, that we're talking about at least $1 trillion to be imposed on the American people.

The dialogue that I had with my constituents was very lively. They were also concerned about the fact that we have Medicare and Medicaid—as we call it in California, Medi-Cal—that is on an unsustainable path to bankruptcy. This has been pointed out by the director of CBO as well as many others outside the halls of Congress and outside the Federal Government. So the American people are trying to tell us that they are concerned that we have an unsustainable program already that we have not faced up to; and on top of that, we're going to impose this new national health plan. It was interesting because the President and the Democratic leadership have said that, look, the public option is just that. It's not going to destroy the private sector. Yet constituents in my district were very, very clear as to their understanding of the necessary impact of this program. They also were concerned about the promises made in this plan. I guess you could sum it up in these words: First entitlement and then rationing. When government takes over a program like medical care, and when it promises everything, and when you see the track record with respect to Medicare and Medicaid, you understand that at some point in time, we're going to hit the fiscal wall, and government's only ability to control cost at that point in time—if you look historically at other government-centered health programs around the world—is through rationing.

You can look at it in Canada. You can look at it in Great Britain. You can look at it in every country around the world. And frankly, I do not want—and my constituents told me last night they do not want the imposition of a government bureaucrat between them, as patients, and their doctors.

Interestingly, last night in one of our committees marking up that case, that question was posed: Could we say in the plan that there would not be the intervention of a government bureaucrat to dictate to your doctor as to what your health care should be? That specific amendment was voted down almost on a party-line vote. Every Democrat on the committee, save one, voted against that prohibition; and every Republican voted for it. In other words, it

was crystal clear. The amendment presented last night before that committee was: In this plan, can we at least promise the American people there will not be intervention by a Federal bureaucrat to dictate the care you will receive or not receive from your doctor? That specific public policy prohibition was voted down.

If you believe that health care delivered by the Federal Government is superior to what you get now, go to your local DMV and see if you'd like them making the decision with respect to your medical care.

PAYGO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER), the majority leader.

Mr. HOYER. Mr. Speaker, ladies and gentlemen of the House, this week the House will debate legislation and give the principle of pay-as-you-go, or PAYGO, the force of law. Quite simply, supporting PAYGO means that we agree to pay for what we buy; and it can be one of the most important actions we take for fiscal discipline in this Congress. PAYGO is essential because America faces unprecedented debt and a fiscal year 2009 deficit of $1.7 trillion. A New York Times analysis found that 90 percent of that deficit is attributable to the economic downturn, Bush administration policies, and the extension of those policies. However we got into this hole, it's imperative that we find a way out of it. PAYGO is not a cure-all, not a solution entirely to our deficits. But it is an important and valuable start, and it is a proven first step to deficit reduction.

In the 1990s, the Clinton administration turned record deficits, accumulated by the two previous Republican administrations, into record surplus; and the PAYGO rule, supported on a bipartisan basis by Republicans and Democrats, was a key part in that fiscal transformation. As President Obama has recognized, and I quote, ''It is no coincidence that this rule was in place when we moved to record surpluses in the 1990s and that when this rule was abandoned, we returned to record deficits that doubled the national debt.''

Today we can once again use PAYGO to begin rolling back the dangerous fiscal situation that confronts us. Under statutory PAYGO, Congress will be required to find savings to balance the dollars we spend. On the one hand, it will constrain unnecessary spending and subsidies. On the other, it will force those in favor of tax cuts to explain exactly what they want to go without in return. In other words, pay for them. Of course none of those choices are easy, but it is exactly the avoidance of hard choices that saddles our children and grandchildren with the debt that confronts us. In addition, deficit reduction will mean fewer interest payments on our debt which, in turn, will help us make sustainable entitlements in the priorities that matter most to the American people, including education, clean energy and health care.

The PAYGO law would apply to new policies that reduce revenue or expand entitlement spending. It will exempt extensions of current policy on the alternative minimum tax, the estate tax and middle-income tax cuts passed in 2001 and 2003 and Medicare payments to doctors. Some would criticize these exemptions, but I see them as an important way of keeping PAYGO credible and enforceable. It is clear that there is bipartisan support in Congress for extending those policies without offsets. Now, very frankly, I would vote for offsets; but we have seen that that does not happen in the United States Senate; and there is an inclination not to do it here. A PAYGO bill that does not exempt them would have to be waived again and again, turning the cause of fiscal discipline into an empty promise.

I find it much more sensible to make a fiscal discipline promise we can keep. I would also note that the exemptions in the House legislation are narrower than those sent to us in the President's original proposal. Most notably, they only apply to the middle-class tax cuts passed in 2001 and 2003 and not to tax cuts generally.

Mr. Speaker, pay as you go cannot remove us from our deficit hole in a single stroke, nor will it. That will take much hard work. PAYGO is not enough in and of itself, but it is absolutely necessary because it keeps us from digging the hole any deeper. It is tested and proven. We adopted this policy in a bipartisan way in 1990. We reaffirmed that policy in a bipartisan vote in 1997, with Speaker Gingrich and President Clinton reaching agreement on that proposition. Yes, it's tested and proven, as I said. I hope that all of my colleagues, Democrats and Republicans alike, will support it when it comes to the House floor later this week.

RUSHING INTO A HEALTH CARE PLAN

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

Ms. FOXX. Mr. Speaker, I'm sorry I don't have the time to respond to the majority leader's comments about PAYGO. But I would just simply say that the Democrats passed a PAYGO policy when they first took over, and we're getting deeper and deeper into debt. If that's what PAYGO does, then woe be unto us if we sign on to it.

The President, the Speaker and the majority leader are all in a rush to pass legislation here. So much in a rush, they will not even give Members a chance to read the bills. Why is that? It's perhaps because they don't want people to know what's in the bills. But the American people want to get health reform right, not just fast. Artificial deadlines for passing legislation serve a political purpose, not a legitimate purpose. I have promised that I will not vote for any health care legislation that is not publicly available in its final form for at least 72 hours in advance of a vote. Every Member of Congress should have time to read the health care bill they are asked to vote on, and the American people should be given this same common courtesy. Let's give them significant time to fully understand the details of a health care proposal rather than steamrolling partisan legislation through Congress. We should make August a national health care awareness month so that Americans can let their Member of Congress know where they stand before voting because we already know of many problems in the proposals that are being put forward. Number one, the bill contains zero savings from eliminating or even reducing waste, fraud and abuse. In an attempt to correct this egregious lack of oversight, Ways and Means Republicans offered six amendments during the committee's markup to reduce wasteful spending. All of them were rejected by the Democrats.

We know that the House Democrats' health care plan will increase Federal spending significantly, that coming directly from the CBO, appointed by the Democrats. We know that it's going to raise taxes on small businesses through surtax increases. Of taxpayers who file in the top brackets, more than half of them are small businesses. The Democrat plan, according to a study by the Tax Foundation, would raise the top tax rate in 39 States to more than 50 percent.

□ 1045

Significantly, it includes fines of up to $500,000 on employers who make an honest mistake thinking they had provided what the government deemed ''sufficient'' coverage. It will impose an 8 percent payroll tax on employers who can't afford to offer health insurance to their employees, and on employers who do the right thing and offer health coverage to their employees but it is deemed insufficient by the government, and employers who are not paying at least 72.5 percent of an employee's premium or 65 percent for family coverage.

What they plan to do is take over more aspects of our life. Every piece of legislation that is passing out of this House this session is aimed at putting the government more in control of our lives and giving us less freedom. The health care bill is the worst of those. Cap-and-tax was horrible; this is even more horrible.

We must not rush into passing health care legislation. We must slow down and get things right. The American people are hurting. We know they are hurting. Unemployment is going up dramatically under this Congress and under this President, and we need to be

dealing with what we can do to create jobs and help individual families, not make things worse by killing more jobs and raising taxes. That's what PAYGO does. It is hard to make cuts in spending, easy to raise taxes, and that's what they plan to do. We shouldn't let them fool the American people again. Fool me once, shame on you; fool me twice, shame on me. We have got to stop letting the Democrats do these things, rushing bills through, hiding things in obscure language, and taxing us into high unemployment in this country.

RESTORE STATUTORY PAYGO

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Ms. HERSETH SANDLIN) for 5 minutes.

Ms. HERSETH SANDLIN. Mr. Speaker, I rise today as the co-chairman of the Blue Dog Coalition which has long advocated for restoring statutory PAYGO as an important budgetary tool necessary to impose discipline in both chambers of Congress as it regards the collection and use of taxpayer money. I would like to thank the majority leader, the gentleman from Maryland (Mr. HOYER), for his strong, steadfast, and unquestioned support for statutory PAYGO and for his words earlier this morning in support of this important legislation.

As I stated and as the majority leader has, this is an important budget tool to impose discipline. It is a tested and proven tool from the 1990s that again, as has been mentioned, President Clinton and former Speaker Newt Gingrich agreed to back in the 1990s. I think it is imperative that opponents of this legislation explain more clearly why they lived with PAYGO with little or no complaint in the last decade, and the surpluses aided by such disciplines, and why they abandoned such discipline which led to a doubling of the national debt over the last 8 years.

We need to make priorities and tough decisions so as to ensure fairness to future generations. It is essential to adopt statutory PAYGO as one step, among many others, to ensure both economic and national security. It is not fair to future generations for the United States to in any way be beholden to foreign creditors. The interest on the national debt alone is more than we spend on education and veterans combined.

Statutory PAYGO is necessary to impose discipline in both Chambers. One of the earlier speakers mentioned that since adopting PAYGO in the House rules, that the deficits have worsened. Unfortunately, much of the legislation passed out of this Chamber that abides by House rules for PAYGO come back to this Chamber after action in the Senate that strips how we pay for our priorities. That's why again reinstating PAYGO as a budgetary tool in statute is necessary for both the House and the Senate, and fortunately is supported by the current administration.

So, Mr. Speaker, I encourage all of my colleagues on both sides of the aisle to ask the hard questions about what worked in the 1990s to produce budget surpluses, about what didn't work over the past 8 years to result in a national debt, a record national debt, and what tools are necessary to get us back on the path of fiscal discipline and surpluses once again. Statutory PAYGO is one key, one tool, among others, that will lead to the kind of tough decisions and priorities necessary to restore the fiscal health of the country.

WHERE ARE THE JOBS?

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

Mr. PENCE. Mr. Speaker, I come to the floor today at a time of a great moment in the life of this country. The American people are hurting. We are facing in this country the worst recession in a quarter century. We have lost 2 million jobs since this Congress and this administration enacted a stimulus bill. The unemployment rate at the time we passed the stimulus bill was 7.5 percent. We were told that we had to spend that nearly $800 billion, borrowed from future generations of Americans, so the unemployment rate wouldn't go over 8 percent. It is now 9.5 percent and rising.

We saw this Democratic majority pass a budget that will double the national debt in 5 years and triple it in 10, and that's if the economy starts to grow again, which sadly, few economists believe it will in the near future.

Now this summer we saw this majority, in the name of global warming, pass a national energy tax that will essentially raise the cost of energy for businesses and individuals by thousands of dollars per year.

And now comes health care reform, a government takeover of health care in this country financed with nearly a trillion dollars in tax increases. Yet my colleagues, many of whom I deeply respect, come to the floor this week to talk about something called PAYGO, fiscal discipline. Well, the truth is that in this majority and this administration, PAYGO means you pay and they go on spending.

The truth is we have got to come to terms with these difficult times. We have got to begin to demonstrate the priorities that businesses and family farms and working families are demonstrating at this time of national challenge and economic recession. Families and businesses are sitting down and prioritizing what should come first.

We ought to have national energy legislation to set us on a pathway toward energy independence. We ought to have health care reform that brings real competition into our economy and lowers the cost for consumers. But the first thing we ought to be doing is coming together and creating jobs.

We know how to create jobs. John F. Kennedy knew it, Ronald Reagan knew it, George W. Bush knew it when the towers fell: fiscal discipline in Washington, D.C., and tax relief for working families, small businesses, and family farms.

The last thing we need right now is one more massive tax increase, one more government takeover of one more American industry. What we need is focus, and we need to prioritize what this Congress is working on. We ought to be asking what the American people are asking today with a heavy heart as they look at Washington, D.C.: Where are the jobs?

Health care, energy independence, other priorities, other talking points on Capitol Hill are not going to get the American people back to work. Congress should come together, men and women of goodwill and strong principle, and work in such a way that can restore this economy, and then work in a bipartisan way on the other major issues facing our country, so help us God.

RESTORE STATUTORY PAYGO

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 5 minutes.

Mr. TONKO. Mr. Speaker, the House will be taking up H.R. 2920 this week, the Statutory Pay-As-You-Go Act of 2009, otherwise known as PAYGO.

This bill, sponsored by our majority leader, the gentleman from Maryland (Mr. HOYER), will renew our commitment to fiscal responsibility and protect core democratic values.

As the President said less than 2 months ago, the pay-as-you-go rule is very simple: Congress can only spend a dollar in one place if it saves a dollar in another. Just as families cut back on eating out at restaurants to pay for a new amenity, so too must Congress make difficult balancing decisions.

In fact, this rule was put in place when the country saw record deficits turn into record surpluses during the 1990s. It is no surprise to learn that when this rule was abandoned, we returned to record deficits that in turn doubled our national debt.

PAYGO legislation will reestablish this requirement that turned deficits into surpluses under the Clinton administration.

It is also critically important to pass PAYGO to ensure our fiscal health and stability as Congress considers health care reform legislation, a necessary item. We must be able to pay for this reform without unduly burdening our American taxpayers. To understand this critically important PAYGO legislation and the record deficits this country is facing, we must understand how we got here. We must move toward a more balanced budget which will initiate an era of fiscal responsibility and a stronger long term fiscal position. PAYGO is an important and critical piece of legislation in that process.

First, a number of factors have brought us to this cash-strapped position. Under the previous administration, the PAYGO principle was abandoned, reckless tax cuts were passed for the wealthy and two wars were funded outside of the budget process. On top of that, our economy has seen one of the most severe recessions since the Great Depression. Congressional efforts to get the economy moving again have proven to be fairly effective thus far, but they have come at a price.

Understanding these problems and the long term fiscal restraints, what does the PAYGO legislation do? It will require that all new policies reducing revenues or expanding entitlement spending enacted during a session of Congress be offset over 5 and 10 years. As Congress did in the American Recovery and Reinvestment Act, PAYGO will include an exemption for legislation designated as an emergency.

PAYGO will require any future extension of upper income tax cuts to be offset, as well as force a serious examination of wasteful subsidies in the budget and tax loopholes that can be eliminated to benefit more worthwhile programs. This means that PAYGO will force advocates of tax cuts to acknowledge the costs and show how they will be paid for, as well as ensuring that we can afford to fund America's most important priorities consistently for future generations.

Certain exemptions on discretionary programs funded in the appropriations process will be granted under PAYGO. These programs are the low income home energy assistance program, our Head Start program, Pell grants, the special supplemental nutrition program for women, infants, and children, and housing assistance.

PAYGO will also establish an enforcement mechanism in nonexempt mandatory programs at the end of year if Congress has not already paid for the cost of all legislation enacted during that given year.

Mr. Speaker, this legislation is a priority for the President. He understands, as we do, that we must balance short-term deficit spending for economic recovery with a commitment to restoring fiscal discipline in the long term. The large deficits that we inherited as a result of the reckless borrow-and-spend policies of the previous administration have put pressure on funding for important priorities such as health care, education and clean energy jobs. We must ensure that regardless of who is in power, PAYGO will be a powerful impediment to reckless tax cuts financed by debt.

Mr. Speaker, the people of our country elect us to come to Washington to represent them in the best way that we can. After years of unrestrained spending, budget gimmicks and rampant waste, as well as fraud and abuse in Federal spending, it is clear we cannot continue along that same fiscal path. We are in a deep fiscal hole. However, with the right tools, including a statutory PAYGO budgeting process, we can reverse this dangerous trend and begin to put the country back on a fiscally sustainable path.

Mr. Speaker, that is why I support H.R. 2920 and encourage our colleagues to do the same.

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FINANCIAL REGULATORY REFORM UNDER THE GROWING FED: A RECIPE FOR TOTAL GOVERNMENT CONTROL

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

Mr. STEARNS. Mr. Speaker, I rise this morning to address the critical issue of regulatory reform in our financial markets. In 1912, a year before he became President, Woodrow Wilson ominously stated ''waiting to be solved lurks the great question of banking reform.'' So here we are almost 100 years later, and we are facing the same lurking question.

The Treasury Department recently issued an 85-page white paper containing five main objectives for reforming or financial markets. Although a few of these objectives may sound good on paper, the devil is always in the details. A closer look at this new plan reveals a fundamental change to our financial system and economy that will stifle the innovation and competition fostered by the traditional American free enterprise system, giving way to a future of Big Government propping up all companies that are ''too big to fail.''

Specifically, the Obama financial regulatory reform plan calls for ceding the Federal Reserve a vast amount of additional authority with the power to create new requirements for capital and liquidity and for any firm ''whose combination of size, leverage, and interconnectedness could pose a threat to financial stability if it fails.'' The Fed, which has failed in the past as a regulator, will be allowed to oversee almost all aspects of any financial company in the United States and its foreign affiliates. Specifically, the Fed will be able to regulate, lend to and close down companies not normally under their control if they deem them to be a danger to the economy.

My colleagues, this is total government control. Additionally, the Treasury will be given more powers as well, such as the ability to appoint a conservator or receiver to ''stabilize'' any large financial firm that is failing, any large financial firm. This will be done in lieu of bankruptcy proceedings, and the result will almost certainly lead to those ''too big to fail'' institutions, backed by the United States Government, having the upper hand in the market, particularly when it comes to raising funds, and smaller competitors will be forced out down the line. Thus, we are destined for an economy dominated by what essentially are government-backed entities, like the Fannie Maes and Freddie Macs.

Big government backed by an all-powerful Federal Reserve isn't the answer to our financial problems. We cannot erode the components of our free market economy because we are afraid to let the market work. It will devastate the innovation and competition that has traditionally driven the American economy.

Another issue worth mentioning when discussing regulatory reform of financial markets is the issue of transparency and possible conflicts of interest. Bill Gross of Pimco, a private financial institution that manages the world's largest mutual fund, is heavily involved in the mortgage securities market and is an open proponent of the Treasury's public-private investment program. Interestingly, in the spring of 2008, Pimco actually presented a plan in Washington, D.C. for a public-private partnership, very similar to the plan that Geithner came out with this year. Pimco is now hoping to be one of the companies that the Treasury picks to help buy up some of the $1.25 trillion in mortgage bonds that have sank big institutions like Bank of America and Citicorp.

In addition, the Federal Reserve has also looked to Pimco to specifically ask for advice on which banks needed more taxpayer TARP funds to stay afloat. Pimco's close relationship with the Treasury and the Fed should not allow it to be the beneficiary of billions of dollars gained through Federal contracts and preferential investment opportunities, particularly with Geithner's public-private investment program he has proposed.

Mr. Speaker, a free market is an economic system in which individuals, rather than the government, make the majority decisions regarding economic activities. In a free-market economy, the government's function is limited, and it should act in a way as an umpire and issue regulatory procedures. The Obama financial regulatory reform plan will move us away from our free-market system and towards a future where the free market is negated by government over-involvement in the private financial sector. We are moving toward a system of permanent interdependence of big companies' reliance on big government. This is fundamentally un-American, and the long-term consequences of such a plan are dire.

Let's not make Washington, D.C. the bailout capital of the world for every private company in America. Let those companies suffer the consequences for their risky actions. Instead, let's be good stewards of taxpayer dollars, keeping in mind that more regulation doesn't mean better regulation and a powerful Federal Reserve isn't the answer to all of our financial problems.

BLUE DOGS ENDORSE PAY-AS-YOU-GO LEGISLATION

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

Mr. BOYD. Mr. Speaker, I rise today to highlight the pay-as-you-go legislation that the House will be considering later this week. This is a bill that the Blue Dogs and I have endorsed for the last several Congresses. It is a priority of this President and of the House leadership and of more than 165 cosponsors of this legislation. I'm always intrigued by those who would oppose PAYGO, like my friend, Mr. PENCE from Indiana, who spoke earlier that basically criticized the deficit spending that has occurred, I assume that he would be critical of that in the last previous administration and this administration, but yet he seems to oppose the one tool that we have that has proven to control deficit spending.

The principle is simple, Mr. Speaker. If you have new spending programs, then you have to pay for them. It is very simple. PAYGO was one of the tools that led this country in the 1990s to record surpluses. However, that tool, PAYGO, and others that were in place, were allowed to expire under President Bush and the Republican leadership of this body in 2002.

Those who claim that PAYGO didn't work need simply to look at the numbers. When it was on the books, we had balanced budgets and even record surpluses. But after it was allowed to expire, we saw the explosion of new spending programs and spiraling deficits to go along with it. By putting PAYGO back into law, we will get back on the path toward fiscal responsibility and long-term sustainability.

It is no secret by anybody that works in this place and now even out in the country, that we have an unsustainable budget picture looking forward. When you have a budget hole, Mr. Speaker, the first rule of thumb, the first rule you need to follow is stop digging. PAYGO does that by ensuring that new programs that are enacted must be paid for. We owe it to our children and to their children to stop digging this hole deeper.

I urge my colleagues on both sides of the aisle to support this PAYGO legislation in order to return to fiscal discipline.

PAYGO WILL BRING ABOUT FISCAL DISCIPLINE

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

Mr. WELCH. Mr. Speaker, I'm here, too, to join in advocacy for the PAYGO legislation that is going to come before the House floor this week. PAYGO is what it sounds like. If we have a new program, we have to find a way to pay for it, either through cuts or revenues. If we have a proposed tax cut, we have to find a way to pay for it, either in a reduction in programs elsewhere or a shifting of priorities and spending.

It is a very simple, elemental approach. If you're going to buy something, you have to pay for it. Families know it, in their family budgets, they have to do it all of the time. And government really is no different. It is no different because in the end, if we borrow money, at some point we are going to have to pay it back. We have gotten into a habit in this Congress of not paying for things, in some cases, expenditure programs, and in other cases tax cuts.

We have had some back and forth this morning with our friends on the other side of the aisle, and without getting into the blame game, which doesn't get us anywhere, there is an irrefutable fact, and that is that in the past 8 years with the tax cuts, with Medicare part D that was not funded, with a war in Iraq and a war in Afghanistan on the credit card, we have gone from the largest surplus in the history of this country to the largest deficit in the history of this country.

What it means is that our kids and our grandkids are the ones who are going to have to pick up the tab. Aside from the fact that that is obviously unfair and none of us wants to pass the burden of debt for our spending on to others, it really is going to restrict what it is that generation can do to meet its own challenges to educate its kids, to provide health care to its kids and themselves and to provide for the national defense.

We have the capacity to impose on ourselves the same rule that families have to impose on themselves every month when they sit around the kitchen table and go over their checkbook and try to figure out how, at the end of the month, they are going to make the checkbook balance. And that is to accept the burden of the discipline of paying for our tax cut proposal or our spending proposal when we make the proposal.

Voters know that. They want fiscal responsibility. In fact, their concern about the deficit rightly is at the top of their agenda. We have had extraordinary circumstances here that have required extraordinary actions with the economy going off the cliff, with the stimulus spending and with the legacy of a war in Iraq and Afghanistan on the credit card.

We have restored truth in budgeting so that those two things, the wars in Afghanistan and Iraq, are now on the budget. So it is painful because we are seeing in black and white what the cost of those enterprises are, and we know that we are going to have to pay for them. We are not trying to hide it. We are being direct.

The American people are entitled to that candor, and they are entitled to have us respond by making certain that we, going forward, adopt pay-as-you-go principles. It is not just good in theory, and it is not just good for conservatives or liberals. It is good for everybody.

I'm a big supporter, I think most of us are, that in this country we achieve the goal of having all of our citizens covered by health care. Every citizen should be covered and have access to health insurance. Every citizen should help pay for it. And if you lose your job, you shouldn't lose your health care. The President has acknowledged that as worthy as that goal is, we must pay for it. And the health care bill that we are now considering has to be paid for. What a difference from what happened with the prescription drug program that was largely put on the credit card and it is not able to sustain itself or pay for itself.

One of the reasons it is so important to have PAYGO is that it imposes the discipline on us to kick the tires of a program. Health care is a great example. We need it. We have good health care in this country. But the cost is going up at two or three times the rate of inflation, two or three times the rate of profit growth, two or three times the rate of wage growth. So people are falling behind. The middle class is getting squeezed. They are facing higher co-pays and deductibles. By adopting PAYGO, it is forcing us to look at our delivery system and ask yourselves how can we reform the delivery of health care to make it more efficient and provide more value for less money?

In fact, there are examples after examples of how we have, in many cases, excess utilization. So this bill is going to be helpful to all of us. And it is very important that we pass this legislation.

GOVERNMENT-RUN HEALTH CARE WILL LEAD TO RATIONING

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

Mr. SCALISE. Mr. Speaker, right now Americans all across the country are dealing with this tough economy, many by tightening their belts and by managing their family budgets. Unfortunately, they are looking to Washington, and they are seeing this Congress that is being run by people that don't get what the American people are dealing with across the country.

Spending is out of control here in Washington by this administration and by this Congress. Look at the proposals that we are debating today. Health care in America needs reforms. But with all of the problems that exist, we still have some of the best medical care in the world. In fact, people that live in countries that have a government-run plan and who have the means, come to America to get care because in those countries, government takeover of health care has led directly to rationing of care. And so what are we facing today? We are facing a plan by the President, Speaker PELOSI and others here to have a government takeover of America's health care system.

When you read this bill, and you hear all of this great rhetoric, you hear the

President saying that if you like the plan you have, you can keep it. The problem is, the bill doesn't allow you to keep your health care plan. There is actually a section in their government takeover that allows a health care czar, some bureaucrat in Washington that was never elected to anything, to be able to take away your health care if they don't think that it complies with these new Federal requirements. So if you like what you have, this health care czar can take it away from you.

In fact, if you're uninsured—and all we hear about is the uninsured and that we need to address the problem of the uninsured, and I agree. The thing is when you really break down the numbers and when you look at who is really uninsured, you get to a number of about 7 million people. Once you strip away the illegal aliens and you take away the people who choose not to get health care who are currently eligible, you end up with 7 million Americans. That is a number we can address without blowing up all of the things that work for over 300 million Americans.

□ 1115

But in their plan, they actually tax some of those very people that are uninsured.

The Congressional Budget Office just gave testimony last week. Unfortunately the chairman of the committee threw the public out of the meeting. It was a secretive meeting that they wouldn't even allow the public to come into. I guess after they heard the testimony, you can see why, because the testimony said, number one, that the costs in this bill are out of control. All of the savings that we heard, that were promised, don't even exist. That's the Congressional Budget Office's testimony.

But then they talked about the taxes, over $580 billion in new taxes on businesses in their health care bill. There's over $240 billion of penalties that would be applied to American families that maybe don't go along with this new government takeover of health care. There's $29 billion of taxes on uninsured people in their bill. The Congressional Budget Office gave the specific testimony that this bill, this government takeover of health care, adds $29 billion in new taxes on the backs of uninsured Americans. And this is as they're running around saying that they want to help uninsured Americans. I know a lot of uninsured Americans out there that don't think $29 billion of new taxes on their backs is the kind of help that they want. When you look at this bill, you start to realize that what they're doing, what they're proposing, is the very government takeover where rationing of care would exist, where a government bureaucrat can get in between the relationship of you and your doctor. It's the same thing that's happened in Canada, it's the same thing that's happened in England, where unfortunately just yesterday we saw the story of a 22-year-old who was denied lifesaving care, denied a transplant by this government bureaucracy that exists in England that rations care.

I serve on the Energy and Commerce Committee where this bill is currently being debated. We were in committee till 12:30 in the morning last night. We had an amendment that would have prohibited a Federal bureaucrat in Washington from interfering between the relationship of an American citizen and their doctor. That's the most sacrosanct relationship that should exist. Nobody should come between the relationship between you and your doctor. Yet they voted down that amendment. So clearly this is about rationing. Their proposal is not about reforming health care, because there's bipartisan agreement on the reforms that need to be made to address the real problems that exist in health care. What their bill is about is a government takeover. It's growing government more. It's adding more to the Federal deficit. Hundreds of billions of dollars by CBO testimony would be added to the Federal deficit, at a time when Americans are saying, Congress, Washington, control spending. Get a grip. People saw that the stimulus didn't work. There are no jobs.

This bill is a horrible idea. Government should not be taking over our health care system and interfering in the relationship between us and our doctor.

MAKING STATUTORY PAYGO A REALITY

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

Mr. MELANCON. Thank you, Mr. Speaker.

If we do not begin paying our bills today, we will continue to short-change future generations who face higher taxes and cuts to Federal investments in priorities such as education, health care and national security. In order to ensure our long-term fiscal sustainability, we must all work together and return to the proven, effective pay-as-you-go rules that brought our Federal budget to balance in the 1990s.

We now have a President who is committed to changing the fiscal course of this country. Together, we are committed to putting an end to the reckless fiscal policies and out-of-control spending of the past that has given us the record deficits we see today. To that end, the President has charged Congress with passing statutory PAYGO, and we have an obligation to see that this critical piece of legislation reaches his desk for signing.

Our Federal Government simply cannot continue to live beyond its means, mortgaging our future on the backs of our children and our grandchildren. Reinstituting statutory PAYGO will send a message to the American people that their government is serious about putting the country back on stable economic footing. The time to act is now. The President has put his words into action and I look forward to working with the Blue Dogs and my colleagues in the House and the Senate to make statutory PAYGO a reality again in this country.

HEALTH CARE

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

Mr. BOUSTANY. Mr. Speaker, American families and small business owners are struggling with high health care costs. They're also struggling with access to a doctor; getting to see a doctor and establishing a relationship with that doctor so that you can really lead a healthier life-style, building the kind of trust that's necessary so that the doctor knows the patient and knows what it's going to take to lead them along a healthier pathway and having the patient trust the doctor so that the advice that they're being given is something that they will adhere to. American families are struggling, small business owners are struggling, and we have to do something about this.

Republicans believe we should reform health care, but we need to do it responsibly and in a very, very thoughtful way so as to not disrupt the system that we currently have. If you have health insurance that you like that leads to a relationship with a doctor, you can keep it. But we don't want to see a system completely devastated or disrupted. We want to build off of what works.

I am a member of the House Ways and Means Committee, and we worked on the bill in the House which outlines the President's plan; and that bill doesn't do near enough to provide good, accessible health care. Furthermore, it's a very expensive bill. The Congressional Budget Office has just started looking at this and it's seeing a very expensive bill that's going to add significantly to the deficit.

As a physician who has practiced medicine for over 20 years, I look at this and I say, whoa, wait a minute, let's get this right. It's more important to get it right than to rush into something and do it very hastily and cause disruption in the health care system where we have some things that are working. One of the speakers earlier mentioned the fact that we've got in fact in effect the finest health care in the world. We've got the most highly trained doctors and nurses. We have people from all over the world coming here to train. We have those who live in other countries who come here to get their health care. But we have a cost problem, we have an insurance problem, and we need to fix that, and we need to make sure that insurance

coverage is meaningful and really leads to access to a doctor for every American.

Republicans have ideas on how to do this. It incorporates three basic principles: Information for you to make decisions for your family or for your small business, to make cost comparisons, to create transparency, information among physicians so that we don't duplicate tests and run up the costs. These are all important things. Information is very important throughout the system and we believe that we can incorporate this in a very cost-effective way.

Secondly, choice. Americans want choices. They like to shop. Let's give Americans a wide range of choices to meet their family needs or their small business needs in health care. If we do that, that will create competition and that will start to drive the costs down of health insurance premiums which we're all struggling with. It will make it more affordable and we'll get more people on it. We can address the uninsured by targeting our response as one of the previous speakers said.

Finally, we need to put families back in control of their health care destiny. There should be nothing between the doctor and the patient in this. That's the essence of good, high quality health care, and that's the only way we're going to control the cost ultimately, by fostering and strengthening that doctor-patient relationship and making it something that every American has. That's how we'll fix health care. Republicans have those ideas and many more and we'll be glad to share them as this debate goes further with the American public.

INTRODUCING THE ADULT EDUCATION AND ECONOMIC GROWTH ACT

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

Mr. HINOJOSA. Mr. Speaker, I stand before you as a member of the Education and Labor Committee. It is a pleasure to stand before you today to speak about the Adult Education and Economic Growth Act of 2009, known as H.R. 3238, legislation that my friend and colleague Representative PATRICK KENNEDY of Rhode Island and I introduced on Thursday, July 16, 2009.

As we all know, our Nation is facing one of the most difficult economic times in history. Technology and globalization, coupled with the economic recession, are causing low-wage and low-skilled workers to become particularly vulnerable. According to the Bureau of Labor Statistics, unemployment among individuals with less than a high school diploma has risen from 7½ percent in December of 2007 to almost 15 percent in April 2009. The unemployment rate for high school graduates with no college degree has increased from 4.6 percent to 9.3 percent. Currently, the U.S. ranks 11th among OECD countries in the percent of young adults with a high school diploma. We should be especially concerned that we are the only country in which younger adults are less educated than the previous generation. More than 40 million adults across our country have basic skills needs or limited proficiency in English that keep them from participating fully in work, in family and community activities.

In 2007, more than 25 million adults ages 18 to 64 had no high school credential. In 2006, 18,400,000 adults spoke English less than ''very well'' according to the U.S. Census Bureau. In my congressional district alone, there are 154,000 adults without a high school diploma. In addition, another 444,000 adults speak a language other than English or do not speak English ''very well.'' In Texas, we have 3.8 million adults who do not have a high school diploma. This is unacceptable. We must do much more to educate our adult learners and assist them in acquiring the 21st century skills they need to succeed in the workplace.

In my conversations with business leaders in my congressional district and across the country, they have shared their desire for a highly educated and trained workforce. Employers need highly skilled workers to compete globally, particularly in high-growth industries and occupations such as health care.

Despite these alarming statistics and realities, we have not made adequate investments in our adult education delivery system. Our adult education and workforce training delivery systems are in great need of reform. In many States, thousands of adult learners are experiencing long waiting lists for adult literacy services to increase their basic literacy skills or improve their English skills. More than 77 percent of community-based literacy programs currently report waiting lists. Current funding reaches only 2.8 million of these adults each year and thousands more are on those waiting lists that I mentioned for adult literacy services.

A report issued this month by the President's Council on Economic Advisers, Preparing the Workers of Today for the Jobs of Tomorrow, underscores that our modern economy requires workers with higher skills and the need to employ workers with education and training beyond the high school level.

In closing, I want to say that the report identifies key limitations to our education and training system, including low completion rates, limited accountability, poor coordination among different programs and excessive bureaucratic restrictions on the use of training funds.

If we are to remain competitive in the global economy, we must invest in high quality adult education and workforce training programs that lead to family-sustaining jobs in careers with the promise of advancement and post-secondary education.

Mr. Speaker, I invite Members of Congress on both sides of the aisle to sign on as cosponsors to this legislation.

The "Adult Education and Economic Growth Act," H.R. 3238, strengthens our adult education and workforce training systems, increases economic growth in local communities and supports President Obama's call to once again lead the world college degrees by 2020.

This legislation provides adult learners with greater access to obtain basic literacy or workplace skills, including English as a Second Language. This bill assists adults in gaining admission to job training programs and post-secondary education.

This legislation provides adequate resources for innovative educational and workforce programs, so that states can bridge the gap between adult education and occupational skills training. Our adult learners will be better served by having access to integrated approaches to education and workforce training.

This legislation expands access by ensuring that federal funding formulas accurately take into account the adult education and workforce skills needs of individual states, including the number of adults who are limited English proficient.

This legislation increases access to adult education, literacy, and workplace skills through the use of technology.

This legislation increases access to correctional educational programs and provides added accountability in the system.

This legislation invests in lower skilled workers by providing employers with a tax credit.

We must reform our adult education and workforce delivery systems if we are to provide adults with the educational opportunities and 21st century skills needed to acquire family-sustaining wages and remain globally competitive.

JOB CREATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LEWIS) for 2½ minutes.

Mr. LEWIS of California. Thank you, Mr. Speaker.

I rise today to express the deepest concern for the fact that unemployment rates have risen to 13.7 percent in the Inland Empire. There are those who believe that the solution to almost every problem facing America involves more government spending here in Washington. I am committed to the fact that just the opposite is the case. We must do everything that we possibly can to create a taxing system that encourages private sector growth.

The sooner we get back to the point of creating job opportunities in the private sector and recognizing that growth of government for the sake of government is not the answer, the sooner we will solve this problem. The jobs for San Bernardino and Riverside County lie in the private sector. So let's create an environment of opportunity and hope for those who are looking for jobs for the future.

COMBATING ADULT ILLITERACY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. KENNEDY) for 3 minutes.

Mr. KENNEDY. Mr. Speaker, I want to commend my good friend and colleague, Chairman RUBÉN HINOJOSA, for his work on this issue of adult illiteracy which he just spoke about.

Just like RUBÉN HINOJOSA and his district in Texas, in my State of Rhode Island where unemployment rates continue to rise, 23 percent of the adult population in my district alone lacks a high school diploma. Last June when the National Commission on Adult Literacy released its report, it served as a wake-up call for all those concerned with the quality of our adult workforce. The commission found that 80 to 90 million adults in this country have deficiencies in basic education and that our investments in adult education and training were reaching less than 3 percent of those who need it. That's why we need to ensure that our adult education and workforce training programs have the tools and resources they need to prepare our workers for the next generation of jobs in energy, in health care and in technology. We need to improve the way we deliver adult education and workforce training programs and the way we provide career paths to higher growth fields through greater involvement with business leaders, State agencies and adult education community and workforce leaders. We need to better leverage employers to provide educational programs to their employees. We need to enhance the use of technology to improve quality learning access and delivery of adult education, literacy and workplace skills services.

The Adult Education and Economic Growth Act which RUBÉN HINOJOSA and I are introducing will do all of these things in order to provide those employed and unemployed with the ability to attain the skills they need to compete in an ever-changing workplace.

I urge my colleagues to support this important legislation.

THE ADULT EDUCATION AND ECONOMIC GROWTH (AEEG) ACT OF 2009

WHAT THE BILL WOULD DO

1. Will refocus the adult education and workforce skills system to make postsecondary and job training readiness a primary goal.

85 percent of GED graduates have to take at least one remedial course before they can enroll in postsecondary education. We need to do a better job preparing them for success in school and in work, rather than getting them to an arbitrary finish line that actually leaves them short of where they need to be.

2. Will give incumbent workers greater access to the workforce skills training and adult education systems.

It is too hard for people already on the job to receive workforce skills training and adult education. It's not enough to get someone into a job, we need to get them into a career. That means continued training, even after a worker is on the job.

Only 3 to 4 percent of the workers with the most limited literacy proficiencies receive basic skills training from their employers. Our bill will create greater incentives for employer involvement in the education of their employees.

3. Will ensure that federal funding formulas accurately take into account the adult education and workforce skills needs of individual states.

Federal funding formulas are outdated, and especially penalize states with a high proportion of non-native English speakers. Our legislation will ensure a fairer distribution of federal funds.

4. Will increase the use of technology in workforce skills training and adult education.

Technology has greatly increased our ability to reach workers at times and places convenient to them. By 2006, 73 percent of American adults were online, including those at the lowest literacy levels. We cannot reach all of those needing services without deploying technology to provide services outside the classroom walls.

5. Will increase access to correction education programs and provide for added accountability in the system.

Offenders with education and training are statistically less likely to commit crimes after release. There is a direct correlation between education level and recidivism: the higher the education level, the lower the recidivism rate. A decrease in recidivism reduces costs to taxpayers and keeps our communities safer.

RECESS

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

Accordingly (at 11 o'clock and 33 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

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

God of mercy and goodness, may this midday moment of prayer and dedication be received as a welcome gift by all, refreshing Your people and clarifying our purpose in serving this Nation.

Bless the work that Congress has begun this day. Rectify any defects and strengthen its integrity. Let us finish the tasks You set before us in a way that pleases You and gives glory to this Nation and Your Holy Name, both now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PAULSEN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. 951. An act to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

S. Con. Res. 11. 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.

IN SUPPORT OF STATUTORY PAYGO

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

Mr. WILSON of Ohio. I rise today in strong support of statutory pay-as-you-go legislation, which will be taken up this week by the House. This bill demonstrates our commitment to fiscal responsibility and will restore the policy that led us from deficit spending to debt to surpluses.

We have to reduce our deficit spending. If we don't, we will not be able to invest in vitally important priorities like health care, education, and clean energy.

PAYGO is very simple: All the policies that cut taxes or reduce revenues must be paid for or offset over 5 and 10 years. All policies that expand entitlement spending must be paid for over 5 and 10 years. Discretionary spending is not subject to PAYGO, and exceptions could be made for emergencies.

This makes common sense and families live by it every day. If you spend more in one area of the family budget, you have got to cut back in other areas. It's about time that our government start living by the same rule.

DON'T TAX EMPLOYERS AND EMPLOYMENT

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

Mr. BOEHNER. Mr. Speaker, before I came to Congress, I ran a small business. And in that small business I offered a health insurance benefit to my

employees. I offered a pension benefit to my employees. Both of these plans were as a result of a 1974 Federal law called ERISA, the Employee Retirement Income Security Act, that allows employers to offer health plans to their employees and pension plans to their employees across State lines.

Over the years, employers now provide health insurance to their employees, to the total of about 132 million Americans that today get their health insurance through their employer.

But in the Democrat health care plan, I noticed this morning in an article from The Wall Street Journal there's a provision in there that, in their bill, after 5 years all employer plans will have to be approved by the Department of Labor and the new Health Choices Commissioner, who will set Federal standards for what is an acceptable health plan.

Now, these employers are providing these plans to their employees. They're trying to provide a benefit their employees want and need. And now the Federal Government is going to decide what your health plan is going to look like.

I would suggest that a lot of employers in America are going to look at this and decide, You know, this really isn't worth it. Under their plan, if you're an employer and you don't provide health insurance, you have to pay an 8 percent payroll tax to the Federal Government. Eight percent.

Now, most employers probably pay more than this for their health care. And so, as a result, I would think a lot of employers are just going to pay the 8 percent tax and allow their employees to be shoved into the government-run plan.

According to the Congressional Budget Office, some 23 million Americans would lose their benefits from their employers and be forced into government health care. According to the Lewin Group, 114 million Americans would be forced into the government plan.

This is not what the American people want. And if you put an 8 percent tax on payroll, guess what? Employers are going to hire less people. And most of my constituents are asking, Where are the jobs? And if you tax employment through this health care plan or you tax employment under this crazy national energy tax, you're going to create less jobs in America.

At a time when we need jobs and we need our economy going again, we don't need to be taxing employers and taxing employment, because we're going to get a lot less of it.

SUPPORT PASSAGE OF STATUTORY PAY-AS-YOU-GO

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I rise in support of the Statutory Pay-As-You-Go Act. This commonsense measure will help bring fiscal responsibility back to Washington. With the national debt at almost $11.6 trillion, Congress needs to start showing some discipline.

I launched my ''Do More With Less'' campaign to cut inefficient spending and reduce the debt. I have been proud to support billions of cuts in the fiscal year 2010 appropriations bills. And I have called on the Treasury Secretary to use returned bailout funds to pay back what we owe.

I am also pleased to be an original cosponsor of the PAYGO bill. By requiring that Congress offset spending dollar-for-dollar, this legislation will ensure that Washington makes the tough choices it takes to get our country back on track.

PAYGO helped produce the budget surpluses of the late 1990s, and it will help us restore the balance now.

I urge my colleagues to stand with me and support passage of this bill.

ENOUGH IS ENOUGH

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

Mr. CANTOR. Mr. Speaker, at a time when millions of Americans are losing their jobs and families are desperately seeking employment, this Congress and this administration have made job creation a secondary concern. As a result, they have squandered a golden opportunity to put people back to work.

Frankly, the American people have just had enough. They have had enough of a stimulus bill that has wasted hundreds of billions of dollars and not staved off job loss. They have had enough of the national energy tax that will impose extraordinary job-killing taxes on the people of this country. And now, Mr. Speaker, they have had enough of talk of a health care bill that not only will fail to deliver the access and quality that we need, but it will cripple small businesses by imposing an 8 percent payroll tax on them.

Mr. Speaker, the question is: Where are the jobs? Congress and this administration have been asleep for too long—and we can do better.

SUPPORT THE HEALTH CARE PLAN

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

Mr. BACA. America's health system is not working. We cannot stay with the failing system that we now have. What good is an insurance card if there's no real access to services? What good is the current system if I have a senior under Medicare, like in my district, scared that their doctors won't see them any more?

We also need a health care reform that gets past the politics and past the rhetoric that every single person is covered.

I stand here to advocate for those without a voice, for those who cannot afford to travel to Washington, D.C. I stand here to advocate for a viable public option to compete with the private sector.

I stand here to advocate for American families. And I stand for the American families who are busting at the seams, trying to make ends meet, and hoping one day they won't get sick.

I urge my colleagues to advocate for all American families and pass health care reform that is needed for all American people in this country.

WE CAN AND MUST DO BETTER

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

Mr. PENCE. In the midst of the worst recession in 25 years, after months of runaway Federal spending, bailout, record deficits, and a national energy tax, now comes a government takeover of health care paid for with nearly a trillion dollars in tax increases.

Before we move on to the next big government scheme of this administration, the American people are asking, Mr. President, where are the jobs?

Make no mistake about it, the President's health care bill would do nothing to lower the cost of health care and would be a disaster for the American economy. If ObamaCare passes—according to the experts—if ObamaCare passes, you will probably lose your health insurance and you might just lose your job.

The American people know we can do better. We must do better. For the sake of our economy and reform, I implore my Democratic colleagues, say ''no'' to a government takeover of health care and higher taxes and say ''yes'' to a bipartisan majority in this Congress that is committed to fiscal discipline, reform, and putting Americans back to work.

REINSTITUTE PAYGO

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

Mr. CHILDERS. It's a privilege to come to this House floor today to express my steadfast support for pay-as-you-go legislation that is scheduled to be introduced this week. As a member of the fiscally conservative Blue Dog Coalition, I believe reinstituting PAYGO is vital to restoring confidence with the American people that Washington and this Congress are indeed serious about reducing the Federal deficit and not continuing the reckless spending policies so often associated with Washington over the past decade.

The people of north Mississippi and the American people all understand that at some point the bills have to be paid. Going from a $5 trillion debt at the end of the Clinton administration

to a now over $11 trillion debt, it is not hard to imagine the daily frustrations I see every weekend at home on the faces of individuals and families struggling in this economic downturn.

It is time for Congress to start operating just as the families in my district do and adopt statutory PAYGO as the law of the land.

I urge all of my colleagues to join me in supporting this landmark legislation.

HEALTH CARE WITHOUT RAISING TAXES AND COSTING JOBS

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

Mrs. MCMORRIS RODGERS. We can have health care reform without raising taxes and costing jobs. The health care version currently being debated in Congress is recognized and called by many as a prescription for disaster—disaster as it relates to ensuring quality and affordable health care and disaster as to the impact it would have on our economy.

Governors across the country, Republicans and Democrats, are fearful it would only add additional costs to an already unsustainable system. The Mayo Clinic says this bill misses the opportunity to help create higher quality, more affordable health care for patients. In fact, they say it will do the opposite.

CBO last week stated that it would worsen our economic outlook by increasing deficits and driving our Nation more deeply into debt.

There are many reasons to be skeptical of this plan: the job loss, the additional debt, the government intrusion between you and your doctor and your health care decisions.

Some continue to say, It's better than nothing. When you are sick or your son or daughter is sick, you don't want the doctor just to do something. You want them to do the right thing.

□ 1215

HEALTH CARE SCARE TACTICS WILL NOT WORK

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

Mr. MCDERMOTT. Mr. Speaker, 15 years ago Frank Luntz wrote the speeches for Newt Gingrich to come out here and scare the American people about the Clinton health reform. They succeeded 15 years ago. What have the people gotten since then? Nothing. The number of people have gone up and up and up and up who do not have health insurance. So here they are all arrayed out here again today one at a time. Folks, they are here to scare you again. Mr. Speaker, the people are smarter this time.

In the election of 2008, they elected a President who said he would bring health care reform to this country, and they gave the Democrats an overwhelming majority because they are tired of the fear machine. Now I know you all have your talking points. Frank Luntz pulled them out of the drawer, shined them up for 2008 and said, Hey, boys, here's the speech that worked in 1994. Use it again. It won't work, Mr. Speaker. The people want health care reform, and we're going to give it to them.

WHERE ARE THE JOBS?

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

Mr. CARTER. Mr. Speaker, the lady on television said, ''Where's the beef?'' The American people are now saying, ''Where's the jobs?'' One of the things that the President promised was jobs for this country. The Speaker said, It's about jobs, jobs, jobs, jobs, but the national unemployment is 9.5 percent, and in the Midwest it's in double digits. Are those the jobs?

Yes, the Democrats have given us some jobs. They've given us this cap-and-tax bill which is going to stick a tax collector in everybody's pocket, destroy small businesses, and destroy jobs in the country. They've given us 33 czars at $170,000 a year to reward their cronies who helped them get elected up here by creating new jobs in Washington for them.

Last night the Energy and Commerce Committee voted to put a bureaucrat between a doctor and his patient to tell him how he's going to treat that sick person. That's a new job they want to create. They've got this idea that if they throw enough money to ACORN, they're going to create jobs for ACORN—if they can keep the indictments away from them. These are not jobs.

THE IMPROVING JOB MARKET

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

Mr. PERLMUTTER. Mr. Speaker, I appreciate my friends wanting to talk about jobs. They have the arguments that they want to pursue, but they don't want to let the facts get in the way of their argument. Let's start with the report we received today from the Federal Reserve.

We know that jobs fell off a cliff last fall and earlier this year as part of the Bush administration's efforts for jobs. Private nonfarm employment fell by 670,000 jobs on average per the month from January to April, but declines slowed to 312,000 in May and 415,000 in June. The May and June declines in construction jobs were the smallest since last fall.

Job declines and temporary employment applications slowed noticeably, and employment in nonbusiness services turned up in May and increased further in June. That's why we have the stock market going up. That's why consumer confidence is going up is because this is working, even if my friends' arguments are not working.

JOBLESSNESS IS NOT JUST A TALKING POINT

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

Mr. DREIER. Mr. Speaker, this ain't a talking point. Last night I talked to one of my constituents. This man is an unemployed truck driver. His statement to me was a very clear one: Where are the jobs? Where are the jobs?

He said, You guys back there in Washington have put together a so-called stimulus bill that cost me—he's still a taxpayer—$1 trillion, and now you plan to take over the entire health care system in this country? He said, It would be devastating. I am looking for a job as a truck driver again, and with what you've done on cap-and-trade, it's going to undermine my ability to do that.

The message is loud and clear. It's not coming from anyone putting together talking points, Mr. Speaker. It's coming from the American people to Democrats and Republicans alike in this Congress. Where are the jobs?

GOVERNMENT MUST RUN USING PAYGO PRINCIPLES

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

Mr. MINNICK. Mr. Speaker, today Congress will consider a law requiring us to do what every other American taxpayer must do with its family finances, something very simple and very basic, pay for what we spend.

Ten years ago, thinking somehow it didn't need outside fiscal discipline, Congress abandoned this commonsense approach, wasted our budget surpluses, and went on a spending frenzy, doubling our national debt. Now we face the largest budget deficit in our Nation's history.

Our government cannot continue to borrow and spend, create ever-higher levels of debt, and pass along the costs of paying for it to our children and grandchildren. We are now relying on trillions of dollars of money borrowed from China and Middle Eastern oil states to pay our bills. This can't continue.

It's time we grow up, act like responsible adults and return to fiscal sanity. With this measure, any new spending we pass must be deficit-neutral. This is the long overdue essential first step towards a return to fiscal responsibility that will assure our creditors and demonstrate to the American public that we deserve to govern.

I salute my Blue Dog colleagues for their persistence on bringing this critical issue to a vote. I urge my colleagues to support this simple, commonsense bill.

WE MUST WORK TOGETHER TO STOP THE UNEMPLOYMENT

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

Mr. McCARTHY of California. Mr. Speaker, this morning I opened up my hometown paper, The Bakersfield Californian. On the front page of the local section there is an article, Kern County's unemployment rate for the month of June increased to 14.7 percent. If that's a talking point, it's coming directly from the paper. One year ago the unemployment rate was 9 percent.

The American people know that if Americans are not working, America is not working. My constituents ask me, Is this Obama economy going to improve? They continue to ask me, If you take more from what people earn, for the energy tax every time you turn on a light, when you go to health care, taxing, are you taking away the choice?

But I tell them there is a chance for a better way. There is a better way to work together to focus on small business. Small business creates 70 percent of every job in America. We can do better by working together and stopping the unemployment.

CONGRATULATING THE FRIENDSHIP MISSIONARY BAPTIST CHURCH IN ROSWELL, NEW MEXICO

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

Mr. TEAGUE. Mr. Speaker, I rise today to congratulate the Friendship Missionary Baptist Church in Roswell, New Mexico. This year the church will be celebrating 47 years of service to the Roswell community. The Friendship Missionary Baptist Church has been dedicated to the faith and well-being of the people of Roswell for nearly a half a century.

I would like to especially honor the current serving pastor, Rev. Michael K. Shelton, and the church's former pastor, the Rev. O.C. King, and his wife for 28 years of faithful leadership to the church and the Roswell community.

Churches like Friendship Baptist achieve such great distinction because of the hard work, dedication, and compassion of their congregation. The leaders of the church and their staff are also to be commended for their guidance.

Friendship Missionary Baptist Church has been and will remain a place for fellowship and a source of hope for the people of southern New Mexico. I am honored to have churches like Friendship Missionary Baptist Church in my district, and I commend them on their years of service.

FEDERAL ELECTED OFFICIALS SHOULD ENROLL IN THE PUBLIC HEALTH CARE SYSTEM

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

Mr. BLUNT. Mr. Speaker, would a government takeover of health care create jobs? The answer is clearly no. We should be focused on job one right now, which is find the jobs. But, Mr. Speaker, if the Energy and Commerce Committee had continued to work today, I would have introduced an amendment to require all Federal elected officials, including the President and Vice President, to set aside our health care benefits and enroll in their new idea of a government-run health care system.

If the majority is really so confident that their plan will provide the very best health care to the people we represent, we ought to demonstrate that confidence by enrolling ourselves. I, for one, don't believe the government-run health care plan will be the best for the people we represent, but a government competitor will soon be the only one left.

A government competitor, Mr. Speaker, would be like an elephant in a room full of mice. The fast mice can get out of the room as quick as they can. The slow mice get crushed, and only the elephant is left. It is time we put our health care where we want the American health care to be, Mr. Speaker, but it's also time we find the jobs.

THE BENEFITS OF HEALTH CARE REFORM FOR ALL AMERICANS

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today because we really are on the verge of finalizing groundbreaking health care reform legislation that will benefit healthier generations to come and the 250 million of us who have health care but who are tired of skyrocketing premiums and deductibles.

Did your salary go up 114 percent this last decade? It sure didn't, but that's what happened with premiums and deductibles. This is about real reform, not for insurance companies and their bean counters, but for the American people.

I want to emphasize today the importance of including a robust public plan option, relying on the Medicare provider network in the final reform bill. Providing Americans with a real choice in doctors and insurance plans puts Americans back in charge of their health care, not insurance companies, but real people and patients.

I would say that for those who believe in the free market, why are you afraid of a public plan? Why are you afraid of something that competes?

Mr. Speaker, I think it's time for us to do health care reform to lower costs, to make it affordable, and to benefit those of us who have health care to lower our deductibles and our premiums.

WHERE ARE THE PROMISED JOBS?

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

Mr. POE of Texas. Mr. Speaker, the unemployment rate is in double digits around this country. Some States have the highest unemployment rate in history. The economy is bleeding jobs because the trillion-dollar stimulus bill was a jobs disaster bill.

Jobs, jobs, jobs, that's all we heard from the taxacrats as they jammed that bill through Congress. They didn't give anybody a chance to read it. They sure didn't want Members of Congress to read it. The American people didn't get to read it, and they have to suffer the consequences.

But the stimulus bill did help one city, however. Washington, D.C., has the lowest unemployment rate in the country. Now, how can that be? Well, the stimulus bill stimulated government programs funded at taxpayer expense. These aren't real jobs. Government doesn't create anything. All they do is suck money out of a private economy that could create real jobs.

The bureaucrats created more jobs for red tape regulating bureaucrats and forced citizens to subsidize it. All the trillion-dollar stimulus bill did was spend taxpayer money to create more government regulations, more government control, and more government bureaucrats. That's too bad.

And that's just the way it is.

THE COST OF HEALTH CARE INACTION IS TOO GREAT

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

Mr. HALL of New York. Mr. Speaker, I rise today to dispel the myth that health care reform will suddenly move the burden of paying for the uninsured onto the rest of us. All Americans are already paying the high costs of a broken health care system with 47 million Americans uninsured.

The cost of caring for the uninsured gets passed on to all of us. The average American family is currently paying more than $1,000 every year to support the uninsured. This $1,000 fee is buried deep in every premium and pays for the broken health care system.

Health care costs are soaring out of control. Premiums have doubled in 9 years, growing three times faster than wages. These staggering prices are too high for American families. Members of Congress must come together to address the problem for the health of middle class Americans and the health of their wallets. The cost of inaction is just too great to sit back and do nothing.

GOVERNMENT-RUN HEALTH CARE WILL COST MORE JOBS

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

Mr. WILSON of South Carolina. Mr. Speaker, Democrats have painted a target on the backs of America's small businesses. As unemployment rises, 2.6 million jobs have been lost since January. Democrats continue to propose policies that will kill jobs.

First there was cap-and-tax, which will skyrocket electric bills, gas prices and food prices, and make American businesses less competitive. Now they have a government-run health care full of tax hikes and mandates on small businesses, which the NFIB estimates will cost 1.6 million more jobs lost.

Small businesses create the majority of jobs in this country. They are doing the best they can in this tough economy, but all they hear from Democrats is pay higher taxes. Democrats should stop feeding Big Government and start providing relief to small businesses.

Where are the jobs? We need health care reforms that help more Americans regardless of their preexisting conditions, help small businesses provide insurance for their employees, and keep in place an innovative side of our health care system.

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

□ 1230

DO YOU FEEL LUCKY?

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

Ms. MOORE of Wisconsin. You've heard the commercial: Don't support government health care.

So the question that you need to ask yourself then is, Do I feel lucky? Do I feel lucky that I won't be one of the 14,000 people a day who lose their jobs and can't afford health insurance, that I won't have such a high deductible that I avoid preventive care and end up with end-stage cancer because I didn't go to the doctor. Well, am I lucky?

Do I feel lucky that Junior won't break a bone and I end up in the emergency room with a $5,000 bill? Do I feel lucky that I won't go bankrupt from my health care problems? Do I feel lucky that I won't have some preexisting condition that prevents me from getting a new job? Do I feel lucky that my health care premium won't grow three times faster than my salary?

The American economy is in the intensive care unit. The disease is the high cost of health care, and the medicine is health care reform.

RISING UNEMPLOYMENT RATES

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

Mr. PAULSEN. Mr. Speaker, last week my home State of Minnesota saw the unemployment rate rise once again, while seeing its exports drop by almost 20 percent from just 1 year ago.

The number one priority of this Congress and this administration should be job creation. But it's clear that the economic stimulus policies being pursued in Washington are failing. Congress has missed important opportunities to pursue real policies that will put Minnesotans and Americans back to work.

Instead, we've seen reckless spending and reckless borrowing at unprecedented rates, so much so that the fact now is that every man, woman and child in our country owes over $37,000 as their share of the national debt.

Mr. Speaker, we should be reforming health care without throwing even more new taxes on the backs of families and small businesses, and we should be giving priority to helping small businesses, our number one job creators, to put Minnesotans and Americans back to work.

APOLLO MOON LANDING IS ANOTHER EXAMPLE OF ST. LOUIS PRIDE

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

Mr. CARNAHAN. Mr. Speaker, as a member of the Science and Technology Committee, I rise today to remember the 40th anniversary of the Apollo Moon landing and the deep sense of pride it gave our Nation.

I, like all Americans, watched with amazement as Neil Armstrong declared: ''That's one small step for man, one giant leap for mankind.'' That moment demonstrates the magnitude of American know-how, ingenuity, innovation and our ability to rise to a great challenge.

My home city of St. Louis, Missouri, was instrumental in the success of that Moon mission, serving as home to then-McDonnell Douglas, which manufactured components for the third-stage booster rocket for Saturn V. That third-stage booster rocket launched those brave astronauts into lunar orbit, making the historic journey possible.

Now it's time to lead the world once again in innovation and science technology, especially as we transition to a new clean energy economy. Americans are ready to be called to action for a great challenge again.

HEALTH CARE REFORM A PRESCRIPTION FOR DISASTER

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

Mrs. MILLER of Michigan. Mr. Speaker, when the economic stimulus plan was passed earlier this year, the American people were told that we had to act immediately because of our economic crisis. We were also told that that plan would create or save 3 million jobs and that the unemployment rate would not rise above 8 percent, and that we had to act so fast that actually not one Member of this House or the American people had a chance to read the bill.

And what has actually happened since that time?

Well, the economy hasn't gained 3 million jobs. It's actually lost 3 million jobs. Where are the jobs?

Unemployment is almost 10 percent. In my home State of Michigan, it is 15.2 percent today, and $787 billion has been added to our national debt and we have an annual deficit approaching $2 trillion.

Mr. Speaker, now we're being told that we need to pass health care reform immediately because we're in a crisis. We're told that it will be deficit neutral because it includes massive new taxes on individuals and small businesses. But CBO says that it will actually increase the deficit, Mr. Speaker, while others say that it will force millions of Americans out of their private health insurance.

We do need to reform our health care system, but doing it in such a panic mode is a recipe for disaster.

EMPLOYER MANDATE HARDSHIP

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

Mr. REICHERT. Mr. Speaker, our economy is struggling, and unemployment is near 10 percent. Yet the health care proposal being considered in Congress asks our job creators, the small businesses of America across this country, to pay a new 8 percent tax.

Last week, in the Ways and Means Committee, I proposed to exempt small businesses from this penalty tax if it would result in businesses having to lay off workers, cut wages, or reduce jobs.

America's businesses are hurting, and we're asking them to pay more taxes? Yet, my amendment was rejected. Requiring small businesses to pay a penalty tax is no way to help them stay in business and create jobs. American workers will be harmed. Workers will bear the new cost through lost jobs and smaller wages.

I urge my colleagues to reject this bill. Americans need the confidence that their jobs are not in jeopardy, that we are working to protect and strengthen their health care, while supporting the small businesses that create jobs.

And these aren't speaking points. That's just some straight shooting from the sheriff.

STABILIZING OUR ECONOMY

(Mr. COFFMAN of Colorado asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN of Colorado. Mr. Speaker, President Barack Obama's chief of staff, Rahm Emanuel, reflected on the administration's lack of focus on the economy earlier this year when he said that our Nation's financial crisis presented an opportunity to accomplish agendas unrelated to the economy.

A good example of that was the so-called stimulus bill that had nothing to do with helping to save or create jobs in the private sector, but everything to do with expanding government programs and pushing our Nation $787 billion deeper into debt.

The Obama administration and the Congress should be focused on one issue and only one issue, and that is stabilizing our Nation's economy so that Americans can keep the jobs they have and get back the jobs they lost. Only when the economy is stabilized should we be debating other issues such as energy policy and health care reform.

Mr. Speaker, the American people are hurting, and it's time that our President and the Democrats in Congress stop ignoring their pain and get to work on fixing this economy.

WASHINGTON IS OUT OF TOUCH

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

Mr. LEE of New York. It amazes me how out of touch we are in Washington. For months now, my constituents in western New York have been asking, where are the jobs, any jobs?

Well, according to this chart of job postings, we found out where they are: right here in Washington, D.C., as we continue to hire thousands of Federal bureaucrats. It's one of the only cities that's growing, and all for the wrong reasons.

It's appalling that we're continuing to grow the Federal Government while we're running a deficit of $1.18 trillion.

When I ran a business, you always had a budget, and you lived within it.

When you look around D.C., you see construction cranes all around the skyline. It's because we can't construct enough buildings to house all these Federal bureaucrats that we're now hiring when we have this deficit.

We have to stop this excessive spending and work together to create the right jobs in the right sectors.

WHAT'S WRONG WITH THIS PICTURE

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

Ms. SPEIER. Mr. Speaker, the enemies of health reform have scoured all of Canada to find a story that fits with their message of ''no change, no reform.''

But I only have to look to my district, to Sharon Almeida from San Bruno, who sent me this letter titled, ''What's Wrong With This Picture?''

Each month Sharon and her husband, Frank, net $3,811 from Social Security and pensions. But they pay out nearly $2,800 for Sharon's cancer treatments. That leaves them just $1,000 for food, utilities, gas, insurance, never mind a little something for the grandchildren. Thank God they own their own home and no longer have a mortgage.

Mr. Speaker, Sharon and Frank worked hard. They played by the rules and raised a beautiful and supportive family. They do not deserve this.

So, to the critics of reform, I say, let the Canadians worry about the Canadians. It's time we come together to provide real health care reform for Sharon and other hardworking Americans.

TROUBLE IN CAPITAL CITY

(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. Mr. Speaker, trouble, oh, we got trouble right here in Capital City. With a capital T, and it rhymes with B and that stands for Broke. Right here in Capital City, right here, we've gotta figure out a way to help the Americans we're about to choke.

You've got trouble right here in Capital City. With a capital T, and that rhymes with D and that stands for debt. Right here in Capital City we've got trouble. Remember the millions, the billions, the trillions. And don't you forget, we've got trouble. We're in terrible, terrible trouble. The game of some 256 Members is a devil's bet. Oh, yes, we've got trouble, trouble. Trouble with a T. It rhymes with D, and it stands for Democrat.

HEALTH CARE

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BROWN of South Carolina. Mr. Speaker, it's time for commonsense health care reform that will strengthen free enterprise, lower cost and expand access to affordable quality care.

Unfortunately, at a cost of $1.28 trillion, Democrats wish to create a new government program that will unwillingly force more than 100 million people out of their current coverage, increase taxes by $818 billion, and cut 4.7 million jobs.

According to CBO, this legislation would also increase the Federal deficit by $239 billion over 10 years and, as a result, would ration care, force doctors out of the profession and hospitals out of business, and ultimately provide fewer options and longer waits for patients.

Locally, new health mandates in South Carolina, a State already in financial crisis, would create more unbudgeted costs and reduce funding for other important issues in the State.

Spending so much and accomplishing so little, a government takeover of health care is the wrong direction for all Americans. Republicans have a better plan that expands access to affordable health care and allows families to choose the plan that best fits their needs.

CUT TAXES AND CREATE JOBS

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

Mr. CULBERSON. Mr. Speaker, Continental Airlines, one of the largest employers in Houston, has just laid off 1,700 people. And my friend, Mr. CHRIS LEE of New York, has put together an inspired chart that shows clearly what this liberal leadership of this House and this Congress are doing with our hard-earned tax dollars. They're redistributing the wealth to Washington, D.C., they're creating jobs in the government and Washington and out in NANCY PELOSI land, out in San Francisco and in State capitals across the Nation.

But we fiscal conservatives understand, it's common sense: to create jobs, you cut taxes; you get lawyers and bureaucrats and regulators off the backs and out of the pockets of small business people. We need to cut taxes to create jobs. Do so immediately. We need to cut spending at the Federal level to reduce the level of debt that our children and grandchildren are going to have to pay.

The Inspector General for the Treasury has just reported that these irresponsible bailouts that this liberal majority has passed could cost taxpayers up to $23.7 trillion on top of the $60 trillion in unfunded liability that we have already passed on to our kids.

It's time to cut taxes and create jobs and get the government off our backs and out of our pockets.

PRESIDENT OBAMA'S SUPPORT FOR HEALTH CARE REFORM IS WANING

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

Mr. FLEMING. Mr. Speaker, the more details Americans learn about the government takeover of health care proposed by the President and the liberal leadership of Congress, the less support there is for this insane idea.

A Washington Post-ABC poll shows more than half of this country is opposed to this plan. Yes, support for this crazy deep dive into socialism is fading fast.

The nonpartisan CBO says this plan won't reduce the cost as the President suggested; it will accelerate it. And we know that will kill jobs.

This liberal Congress rammed the stimulus and cap-and-trade, which nobody could read before voting, down the throats of the American people.

But they are now fed up and on to their strategy.

We don't want DMV, Department of Motor Vehicles, style medicine with long waiting lines, delayed care and skyrocketing cancer death rates as in Canada and the UK. We don't want a system that will bankrupt this country and ignore the elderly, and we sure don't want our tax money paying for abortions.

Simply put, we want commonsense health care reform, not nonsense health care reform as now proposed.

□ 1245

A TAX ON HEALTH CARE IS A TAX ON PAYROLL

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

Mr. BUCHANAN. Mr. Speaker, at the start of this year, the focus has been on economy and jobs, number one.

I was chairman of the Florida Chamber 4 years ago. We represented 137,000 businesses, and 99 percent of those businesses were small business. They create 75 percent of the jobs. Yet, today, we are going to tax health care. It's not a tax on profit. It's a tax on payroll. If you've got a $1 million payroll making no money, and if you're paying another $80,000 a year you don't have, you're going to put people out of business.

The other thing they want to put together is a surtax of 5.4 percent on businesses. They want to get to the millionaires. Do you know who those folks are? They're small business people. You wouldn't know that if you've never been in business. That's the majority of them. So you're going to tax the 8 percent. You're going to add another 5.4 percent. You're going to kill millions of businesses, and you're going to kill millions and millions of more jobs. We need to get focused back on the economy and on jobs in America today, right now.

HEALTH CARE REFORM

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

Mr. GENE GREEN of Texas. Mr. Speaker and Members, I serve on the Energy and Commerce Committee and on the Health Subcommittee. We were in session last night until 12:30, working on this bill. It was beginning to be a bipartisan bill. We accepted Republican amendments; we accepted Democratic amendments, but we have a long way to go. Let me tell you what the facts are in our country.

Forty-three to fifty million people in our country are without health care. They get their health care through the emergency rooms. Do you know who pays for that? Those of us who have insurance, who are fortunate enough to have employer-based insurance, whether you're a Federal employee, a State employee, a city employee or whether you work for some of the large industries. We have insurance, but 43 to 50 million people don't. Our country's employers and employees spend more per capita than anywhere in the world for some of the worst results for the average illnesses.

We are going to debate a bill in a few minutes by my colleague from California, JOE BACA, on the increase in diabetes in the Hispanic community. Diabetes can be dealt with early on. Our health care system decides to deal with people after they're so ill that it's more expensive. We need health care reform in our country for cost containment but also to make sure that every American doesn't have to get their health care through the emergency rooms.

UNEMPLOYMENT

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

Mr. MILLER of Florida. Mr. Speaker, Americans all over this country are asking: Where are the jobs? We've been promised jobs over and over by the Obama administration and by the majority in this Congress, but unemployment numbers continue to rise.

When the President took office, 11.5 million people were unemployed. Six months later, that number now stands at 14.5 million Americans who are unemployed and who are looking for work. Where are the jobs?

In February, when the majority rammed through a $1 trillion stimulus bill with zero input from my Republican colleagues, Americans were promised that unemployment would remain at 8 percent. Five months later, unemployment is at 9.6 percent and is climbing. In my home State of Florida, that number is 10.6 percent, the highest it has been in three decades. Where are the jobs?

The stimulus bill is not working, and despite what Vice President BIDEN says, we can't borrow and spend our way out of this recession. Instead of spending trillions of dollars on failed programs and on misled policies, we need to focus on lowering taxes on small businesses and on families. Again, where are the jobs?

AMERICAN INNOVATION, NOT REGULATION

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

Mr. WAMP. Mr. Speaker, the world is looking to us for innovation. That's the goose that lays the golden egg in our country—our free enterprise system, entrepreneurship. They are looking and are saying, American innovation can pull this economy back in a good direction, not regulation. Other governments are moving away from regulation and high taxation. We're moving towards it. It's innovation, not regulation.

Look at the new cap-and-trade legislation for energy and the environment. It's a regulatory scheme. It's a taxation scheme, not an innovation scheme. Where is nuclear power? Where are the new energy technologies that can lead to a robust, manufacturing-driven, job-creating U.S. economy?

Look at the new health care scheme. It's a regulatory scheme, a taxation scheme and, frankly, a litigation scheme. It's protecting the status quo in litigation. The greatest medical centers in America are saying this government insurance scheme is the wrong approach. We need less litigation. We need to unleash the entrepreneurship and the innovation of the United States again so that we can lead.

Where are the jobs? They're in innovation and in entrepreneurship. They're in our free enterprise system. The government chokes it with regulation, taxation and litigation.

A SO-CALLED ''STIMULUS''

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

Mr. REHBERG. Mr. Speaker, 5 months after this House passed the so-called ''stimulus'' that shattered spending records, the economy struggles, and unemployment is approaching 10 percent. It's important to remember that Republicans had a different plan for economic recovery. While we didn't have enough votes to pass it, our solution relied on American ingenuity and small business, not on stimulating bigger government by creating government jobs. Our plan would have produced immediate results by putting tax dollars right back in the pockets of American taxpayers and of job creators.

Recently, it was reported that someone in the White House sees the need for another stimulus. Instead of doing the same thing over again and expecting a different result, perhaps it's time to give Republican alternatives a serious look. It's not too late to pass a real stimulus plan.

THIS CREDIT CARD CONGRESS

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

Mr. CHAFFETZ. Mr. Speaker, I rise with deep concern about the families of the United States of America. The economics of this credit card Congress are not working. Where are the jobs?

We cannot tax and spend our way out of our challenges. I firmly believe that President Obama, Speaker PELOSI and the Democrats in Congress are taxing, spending and borrowing too much money. This credit card Congress has now put us nearly $12 trillion in debt.

We are spending nearly $600 million per day just in interest on that debt. Bailouts and stimulus money by the billions of dollars are not helping the average person at home, and now we have a proposal to slam through a government-run, Chinese-financed health care system that puts a Washington, D.C., politician between our doctor and my wife.

The tax-and-spend, credit-card-driven, Chinese-financed economics driven by the Democrats doesn't work. We need fiscal discipline, limited government, accountability, and a strong national defense. We need to restore liberty for the American people and for small businessmen and -women. That's where you'll find the jobs.

Stand up, America. Let your voice be heard. Put a stop to this credit card Congress.

DEMOCRATIC HEALTH CARE REFORM

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

Mr. GINGREY of Georgia. Mr. Speaker, one of the American people's biggest fears about the Democratic health care reform plan is the prospect of having some government bureaucrat stand between them and the doctors they trust. I've heard this message time and time again in townhall meetings, in letters and in phone calls from patients throughout this country.

The House Democratic leadership has promised the American people that their fears about the bureaucrat-rationed care they will receive are unfounded, even while drafting a 1,000-page bill that creates this Comparative Effectiveness Council to decide which treatments will be covered.

Late yesterday evening, I gave my colleagues a chance on the Energy and Commerce Committee to put their money where their mouths were by offering an amendment in the Energy and Commerce Committee that would simply bar Federal political appointees and bureaucrats from intervening in patient treatment decisions.

An easy vote, Mr. Speaker. Who do you want making your health care decisions—your doctor or a government bureaucrat? However, every Democrat on the committee, save one, voted against this amendment.

It's time for Congress to focus on strengthening the doctor-patient relationship and not the bureaucratic-patient relationship.

WHERE ARE THE JOBS?

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

Mr. BONNER. Mr. Speaker, the people in South Alabama and, really, all across our country want to know: Where are the jobs? Where are the jobs that were promised by the administration and by the Democratic leadership of this Congress back in February?

Without a single Republican vote, a $787 billion stimulus bill was forced on the backs of the taxpayers of our country with one simple promise: that it would keep unemployment below 8 percent and that it would create some 3.5 million jobs over the next 2 years. Where are those jobs? Instead of creating new jobs, almost 2.5 million jobs have been lost just since the stimulus bill has been passed.

Nationally, the unemployment rate is 9.5 percent, inching up closer and closer to double digits. In five of the six counties that I represent in South Alabama, that unemployment rate is already at double-digit unemployment.

Mr. Speaker, there is a serious lack of credibility in our Nation's capital. Don't take my word for it. Just listen to the American people. They want to know: Where are the jobs?

SUMMERS RELYING ON GOOGLE SEARCHES TO GAUGE RECESSION

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

Mr. WESTMORELAND. Mr. Speaker, when this administration took over on January 20, the unemployment was at about 7.2 percent, and they made a promise that this new stimulus of $787 billion would create or would save 600,000 jobs. Since that point, we've lost 2 million jobs. Where are the jobs?

The President's top economic adviser pictured here, Mr. Larry Summers, has made us all feel better in this country by telling us:

Of all the statistics pouring into the White House every day, top economic adviser Larry Summers highlighted one Friday to make his case that the economic free-fall has ended. The number of people searching for the term ''economic depression'' on Google is down to normal levels, Summers said. Searches for the term were up fourfold when the recession deepened in the earlier part of the year, and the recent shift goes to show consumer confidence is higher, Summers told Peterson Institute for International Economics.

Mr. Speaker, where are the jobs? I'm telling you that somebody in this administration is asleep at the wheel.

JOBS

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

Mr. AUSTRIA. Mr. Speaker, the American people are hurting. Millions of Americans are out of work, and hundreds of thousands continue to lose their jobs each month. In my home State of Ohio, the unemployment rate reached 11.1 percent in June, the highest it has been in decades.

According to the Columbus Dispatch, this adds up to an additional 33,000 jobs in Ohio that have been lost during the month of June, which is up from 8.8 percent in January 2009. The Dispatch article goes on to state that, over the course of the past year, 279,000 Ohioans have lost their jobs, including small businesses, farmers, as well as 134,000 manufacturing jobs.

At the end of the day, I trust the American people and our small businesses, the taxpayers, to spend and to invest their own money as they see fit. That is what will get America back to work.

Unfortunately, the other side of the aisle's economic policies have this backwards. The government continues to take Americans' tax dollars and to spend those dollars as they see fit. Not only is that inefficient and wasteful; it's just flat out wrong. Where are the jobs? It's time to get Ohio and Americans back to work now.

WHERE ARE THE JOBS?

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

Mrs. SCHMIDT. Mr. Speaker, I rise today to ask a simple question: Where are the jobs? My constituents, along with those across Ohio and our Nation are asking: Where are those jobs?

In my home State of Ohio, the unemployment rate has risen to 11.1 percent. We have the seventh-highest rate in the Nation. Every single county in my district is equal to or is higher than the national average, and Pike and Scioto Counties are actually above 15 percent, but that number is rather deceiving. Another large percentage of our population has either given up looking for work right now or has taken part-time or temporary work.

People in Ohio and in my district are hurting. We need jobs and we need them now. Only $6 million of the Department of Transportation Recovery Act dollars have been spent so far in Ohio. The Recovery and Reinvestment Act was supposed to provide immediate stimulus to create new jobs. Where are those jobs? People are hurting. Five months later, there are no jobs.

I'm asking: Where are the jobs?

□ 1300

LOSS OF JOBS HAS GONE OFF A CLIFF

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

Mr. ROE of Tennessee. Mr. Speaker, with the national unemployment rate nearing 10 percent and Tennessee's own unemployment rate at over 11 percent, people are outraged that not more is happening in Washington to help them find work. So far, this Congress has provided those who find themselves out of work extended benefits, but it insisted on taxing those benefits. Worse, the majority has not done enough to

stimulate the economy and to produce jobs, the best benefit of all, which is a job.

Despite all of the promises of a green job revolution and the millions of jobs that would be saved or created because of the economic stimulus package, the number of jobs since President Obama took office has gone off a cliff.

Republicans have called for an immediate end to the tax on unemployment benefits, which would surely help those who have been hurt by this recession. We have also called for tax relief for small businesses who can use that money to create jobs. These measures can improve our economy immediately.

American small businesses are the most innovative in the world and will pull us out of this recession if we allow them, but Democrats seem determined to prevent any recovery from occurring. In the past month, they moved to bludgeon our economy with a national energy tax and tax on small business to finance massive new health care entitlements.

Enough is enough. Create jobs.

JOBS, THE ECONOMY, AND THE FUTURE OF HEALTH CARE

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

Mr. SESSIONS. Mr. Speaker, over 6 months ago, my Democrat colleagues and the Obama administration told the American people that if we passed the $1.2 trillion stimulus package, it would create jobs, halt the growing unemployment rate, and turn our economy around; yet here we are today with a 9.5 percent unemployment rate—the highest in 26 years—and a record $1.1 trillion deficit that is growing and expected to be $2 trillion by year's end.

And yet this administration and Democrats want to push through another $1.2 trillion health care package, a health care package that, according to the President's own economic adviser, will result in 4.7 million people losing their jobs.

Just a few weeks ago when talking about the stimulus package, Vice President BIDEN said for the Obama administration, Well, we just guessed wrong.

Mr. Speaker, I don't think that the American people can really afford for this Congress or this administration to guess wrong again. We need to make sure that we find the jobs in this country, not tax and spend.

DEAD WRONG ON HEALTH CARE

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

Mr. ROSKAM. Mr. Speaker, listen. Listen with me and see if we can hear the sounds of jobs. Shhh, shhh, shhh, shhh. You gotta listen real close. Quiet. Well, I'm not hearing anything.

The administration told us in this House months ago that if the American people stood in favor of the stimulus package that unemployment would peak at 8 percent, and yet here in Illinois, the State that I represent, we've now eclipsed 10 percent.

We were told that the cost curve would be broken if only we would follow the administration's health care plan and it would be the salvation of small business, and yet the Congressional Budget Office came into the Ways and Means Committee last week, Mr. Speaker, and said that was dead wrong.

The question that has to be asked and has to be answered is one that we've heard no answer today from the other side: Where are the jobs?

There are no jobs. This is an administration that has pumped sunshine for months and has failed to follow through, and we ought not follow these brake lights right over the cliff.

We know what we need to do, and that is stand for small business and vote against this plan.

BRING HEALTH CARE COSTS DOWN

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

Mr. HERGER. Mr. Speaker, rising health care costs are a serious problem, but the Democrat bill being advanced in the House proposes $1.2 trillion in additional spending on health care coupled with massive tax increases that would hurt small business and middle class families.

The Democrat new 8 percent payroll tax will force employers to cut millions more jobs in the middle of the worst recession in decades while their surtax would push my State of California's top income tax rate to over 56 percent, higher than even that of France's. And those tax hikes won't even cover the full costs of this bill.

Mr. Speaker, we need real reform that brings down health care costs instead of pouring more money into a broken system.

HEALTH CARE PLAN SHOULD BE GOOD ENOUGH FOR EVERYBODY

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

Mr. TIAHRT. Mr. Speaker, on Friday I offered an amendment in the Appropriations Committee that failed because every Democrat voted against it. The amendment simply stated that Members of Congress and the administration should live by the laws they impose on the American people.

Specifically, if you vote for a government-run health insurance plan, you should get a government-run health insurance plan. If it's good enough to impose health care rationing on the American people, it's certainly good enough for you. Because it's hypocritical to vote for a government-run rationed health care plan that will be forced on everyone else while retaining a private insurance plan for yourself.

If Members don't believe they should have to live under the rationed health care plan that they're pushing, they should explain why. Kansans are upset by the possibility that they're forced on a rationed public health care plan by this Congress. They believe if it's not good enough for the people who vote for it, it's not good enough for them.

Mr. Speaker, it's time for us to reform health care by addressing defensive medicine costs, by offering market-based principles for health care, and by keeping patients and doctors in control, not Washington bureaucrats.

HEALTH CARE AND ITS FAULTY PREMISES

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

Mr. COLE. Mr. Speaker, where are the jobs? Well, they certainly aren't in the Democrats' job-killing health care plan. At a time when America is suffering the worst recession in a generation, it's utterly irresponsible to propose a government takeover of our health care system and destroy millions of private sector jobs in the process.

Since the Democrats passed their stimulus package, more than 2 million American jobs have been lost, and the chair of the White House Council of Economic Advisors, Dr. Christina Romer, has suggested that the tax hikes on businesses that will be required to pay for the Democratic health care plan will result in the loss of an additional 4.7 million jobs.

In addition, Mr. Speaker, the Democratic proposal will force drastic cuts in Medicare Advantage, causing millions of seniors to lose their coverage for prescription medicine, the cost of private health care will skyrocket, and the Lewin Group has estimated that nearly 114 million Americans will be forced out of their current private health care coverage and into government-run health care plans.

Mr. Speaker, the Democrats' job-killing health care proposal is the wrong prescription. It will cost millions of jobs. Americans need a second opinion.

AMERICANS WANT TO SEE WHAT WE'RE DOING FOR THEM, NOT AGAINST THEM

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

Mr. LATTA. Mr. Speaker, the people of the Fifth Congressional District of the State of Ohio of the United States all want a job. Last year at this time, the Fifth Congressional District, according to the National Manufacturers Association, had the ninth largest

number of manufacturing jobs in the country. When the new numbers just came out, we're down to 15.

When you look at this map of the State of Ohio, looking at Williams, Fulton, Defiance, Paulding, Crawford, and Huron—those are some of my counties—when I've got counties over 15 percent, folks back home want to know what this Congress is doing.

What this Congress passed before we went on the Fourth of July recess was the national energy tax, the largest tax that we're going to see that puts businesses out, that puts people out of work, and that's what we're doing.

People want to know what we're going to do for them, not what we're doing to them. And I'm telling you that folks back home, when I go home every weekend, want to know what are we doing. When you look at the State of Indiana right here, right next to us, they're in as big trouble as we are.

When the Heritage Foundation came out with their report, of the top 20 congressional districts in the country that had problems under cap-and-tax, Ohio and Indiana ranked right in the top, 16 out of 20.

We've got to do something. We've got to act right now.

SIMILAR RESULTS AS STIMULUS PLAN

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

Mr. McCOTTER. Mr. Speaker, where are the jobs? They are not in Michigan, my home State, where we have a 15.2 percent unemployment rate. And what could we expect, especially when this was one of the driving forces behind the trillion dollar stimulus package. One could expect similar results, and, sadly, that's true.

We then saw a national cap-and-tax energy tax did not create jobs, did not help, and now we're on the verge of a radical socialization of America's health care network. And what do we hear from the other side? Statistics but no references to the bill.

And do you know why? Because while our health care system needs reform, it is not broken. The one thing that's broken is this Congress. And if this Congress keeps spending people's money and engaging in radical change to our cherished way of life, every single family budget in America will be broken by their hand.

GOVERNMENTAL TAKEOVER OF HEALTH CARE

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

Mr. LANCE. Mr. Speaker, there is a great debate here in Congress about how we go about reforming health care in the United States. I've tried to work in a bipartisan capacity with the majority, but the Democratic leadership's health care reform plan is a governmental takeover of health care that will lead to fewer jobs, higher taxes, and, ultimately, less health care coverage for New Jerseyans.

Most disappointing to me is the fact that the Democratic health plan would increase, not reduce, our Nation's burgeoning long-term health costs, a step in the wrong direction. And according to the nonpartisan Congressional Budget Office, instead of saving the Federal Government from fiscal catastrophe, the Democratic health care proposal would already worsen the situation that is out of control, an $11 trillion debt that is rising rapidly.

Democrats should put aside their $1.5 trillion health care plan and take a hard look at the affordable and effective Medical Rights and Reform Act put forth by the Republican Tuesday Group. Together, we can find real solutions to make health care affordable.

HEALTH CARE REFORM AT WHAT COST

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

Mr. ALEXANDER. Mr. Speaker, several of my colleagues have come to this mike today and said, Where are the jobs? Well, if we pass this government-run health plan with compulsory insurance, it's going to create some jobs. It's going to take a government police force that you won't believe. We're going to have Barney Fifes running all over this Nation forcing people to do things they don't want to do.

And how do we pay for it? Well, that's simple. We just go to the small businesses that can't afford to buy insurance for their employees as it is and we increase by 8 percent their payroll taxes. We are going to break the backs of small businesses that are the backbone of this Nation.

Let's put a stop to this nonsense.

NO JOBS

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

Mrs. BACHMANN. Mr. Speaker, where are the jobs?

As a Senator, President Obama supported the $700 billion bailout Nation strategy that today we're learning will cost the American people potentially $24 trillion. But where are the jobs?

President Obama pushed the trillion dollar stimulus that cost our economy 2 million in job losses. No jobs.

President Obama took over GM and Chrysler, and he gave pink slips to 3,400 car dealerships that cost 150,000 jobs. No jobs.

President Obama's national energy tax will double our electricity bills in Minnesota and will cost 2.5 million job losses every year.

Now President Obama's economic adviser tells us that the government takeover of our private health care insurance will cost us 5 million jobs. No jobs.

This may be called the China-India stimulus plan, but the President isn't doing so well for the American people.

Mr. Speaker, let's have real change so the American people can have real jobs.

□ 1315

WHERE ARE THE JOBS?

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

Mr. AKIN. Americans love records. How fast can you go? How high can you go? How deep can you go? We love to set records. Why, the Democrats just set a fantastic record of the biggest tax increase in the history of our country. And was it clever? It was really clever. All you have to do is flip a light switch to pay a tax. And spending. Oh, we've done a great job of spending it. As a result of taxing and spending, more records. Why, in the last 6 months, we have lost more jobs than any 6-month period since World War II. There's a record for you.

Here's another record. We have, in the last 6 months, used up more jobs and lost jobs than we created over the Bush years over the previous 9 years. That's the only time that's happened since the Great Depression.

And here's another record, too: That is, the jobs that we've lost have been longer than any time since we've been measuring unemployment in 1948.

I wish we didn't set quite so many records. We don't need the Democrats' help for this kind of record.

Where are the jobs?

HEALTH CARE BILL COSTS AMERICAN JOBS

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

Mr. HASTINGS of Washington. Mr. Speaker, where are the jobs? Americans have lost millions of jobs in the last 6 months. The unemployment rate today is approaching 10 percent nationwide. And amid all of this, Democrats are proposing a government takeover of health care that would increase taxes, eliminate choices, cut Medicare, force Americans out of their current plans and place billion-dollar job-killing fines and mandates on small businesses, the job creators.

Studies estimate that nearly 5 million jobs will be lost as a result of taxes on small business under this Democrat plan.

There is a better solution, Mr. Speaker. Rather than penalizing struggling small businesses, Congress must make it easier for them to afford health benefits. We must increase choices, make health costs deductible, expand health savings accounts, end waste, fraud and abuse and control unnecessary lawsuits that drive up costs for everyone.

I support reform, Mr. Speaker, that lets Americans keep their doctors, lowers costs and keeps medical decisions between the patient and their doctor.

WHERE ARE THE JOBS?

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

Mr. GARRETT of New Jersey. Mr. Speaker, at the beginning of this year, the administration and Speaker PELOSI had this House pass a 1,500-page stimulus bill which no one in either body was able to read before they passed it that spent $800 billion which we did not have, all because they promised that it would create new jobs. In fact, they said it would actually either create or save 2 to 3 million new jobs.

Their economic policy adviser at the White House said it would mean an immediate start of creating new jobs and eliminating losing jobs. Even Majority Leader STENY HOYER was on the floor saying this would be an immediate jolt to the economy, the immediate creation of jobs.

Well, it is 5 or 6 months later, and where are we? I just heard from Chairman Bernanke. He says he can't assess where we are right now. But if you look at the numbers, if you look at the chart that I have here, the Democrat projection with stimulus had we done something was here. What actually happened, we have seen as far as jobs, more job losses, more job losses, more job losses, February, March, April, May and June, more job losses. We have lost several million jobs since the stimulus was passed.

The administration misread the American economy. The administration misread the American public. The American public knows that we need to go in the right direction.

We spend too much, we borrow too much and we tax too much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must enlist the cooperation of Members in heeding the gavel at the expiration of their time.

WHERE ARE THE JOBS?

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

Mr. WITTMAN. Mr. Speaker, just a few minutes ago, I finished a lunch with a gentleman who is a business owner in Virginia. And we had a discussion about what are the things that we need to be doing to help with this economy.

As I travel across the First District, the thing I hear time and time again is where are the jobs? What are we doing to help this economy? What are we doing to help small businesses? Folks, that is where this economy is going to be picked up, from the efforts to make sure we help our small businesses. That is what this Congress needs to be focusing on each and every day. When we come here, our focus ought to be what are we doing to help small business? What we doing to create jobs?

Obviously, what is happening right now isn't working. People out there are anxious. They are concerned. They are frustrated. They are telling me, as well as the rest of the Congress, get to work, start creating jobs and start turning this economy around.

Let's get the job done.

THE AMERICAN PEOPLE WANT JOBS

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

Mr. SCALISE. Mr. Speaker, Americans all across the country are asking, where are the jobs? When President Obama brought the stimulus plan before the American people, he said it needed to be rammed down their throats quickly. He didn't allow people even the opportunity to read it. Not one Member who voted for the bill even had the opportunity to read it. But he said, don't worry. Just trust me. It will create millions of jobs.

Well, now 6 months later, 2 million more Americans have lost their jobs since President Obama took the oath of office. And what's their answer? They're talking about another stimulus bill. In fact, just last week, Vice President JOE BIDEN said, We have to go spend money to keep from going bankrupt.

The American people are starting to understand what's going on here with this Congress, the liberals that are running this place. They realize all they're doing is taxing and spending, and they're not creating jobs. They're running jobs off. The cap-and-trade energy tax would lose 3 million jobs to countries like China. And then they come back with this plan to have a government takeover of our health care system, a plan that would add another $800 billion of new taxes on the backs of American people and run off even more jobs.

The American people know what's going on here. They want jobs, not these crazy liberal policies.

JOBS, JOBS, JOBS

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

Mrs. CAPITO. Mr. Speaker, for West Virginia's families, it's jobs, health care and the economy that matters the most to them. They've seen trillions of dollars spent, and they see Washington proposing to spend trillions more. They want to know where are the jobs with the stimulus? They want to know why the only apparent answer here in Washington is more spending and more borrowing.

My constituents want their voices heard. Recently, I sent a survey out and received 3,500 responses on what do people want on health care. They want to keep the coverage that they have. More than two-thirds are troubled by the idea of a government-run health care. Three-fourths are shocked by the thought of yet another trillion-dollar program. And the vast majority think that this is not the time to be raising taxes.

Unfortunately, the plan moving through the House right now fails to address all of these. It fails to control costs. It taxes small businesses. It threatens to force families into government-run health care. Simply put, this is not the health care reform my constituents and I are looking for. What they're looking for are jobs.

JOBS, JOBS, JOBS

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

Mr. SMITH of Nebraska. Mr. Speaker, we were told a $1 trillion stimulus package would create jobs immediately. But since then, nearly 2 million Americans have lost their jobs, and unemployment is at 9.5 percent, the highest in 26 years. Then the House passed cap-and-trade legislation which will cost our country 2.5 million jobs each year. Now we're rushing to take up the Democrats' health care bill, which research shows will cost 4.7 million more jobs.

As House Republicans offer plans and ideas to get our economy moving again, all we get in return is more of the same, spending and taxing, and it keeps yielding the very same results: Longer unemployment lines and a longer list of promises.

Mr. Speaker, we need new ideas and new approaches to deliver different results.

GOVERNMENT TAKEOVER OF HEALTH CARE IS NOT GOOD FOR AMERICA

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

Mr. TERRY. The House health care bill is a government takeover of your health care and destructive to the economy. It provides perverse incentives to employers to dump their health care plan, forcing their employees into the government health exchange where they will choose the government-subsidized government plan. Oops, there goes the promise that you can keep your own plan.

This costs you $1 trillion placed on the back of small businesses. Oops, there goes those jobs.

After 10 years, the cost of this plan explodes, needing multi-trillions of dollars to continue to fund. More taxes,

more debt. Oops, there goes our economy—to China and India.

WHERE ARE THE JOBS?

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

Mr. CALVERT. Mr. Speaker, around the country, more and more Americans are out of work, struggling to pay their bills. Yesterday, the Web site recovery.gov revealed that your government spent $1.2 million to purchase pork at twice what struggling families would pay at a local grocery store. It would be funny if it weren't so painful.

The $787 billion stimulus was sold to the American people as a bill that would put people back to work. But now we see it for what it really is, a massive expansion of social welfare which is doing nothing to create jobs.

Where are the jobs? Almost 6 months have passed since the stimulus was signed into law, and unemployment continues to tick upward. It is over 13 percent in my congressional district. The so-called ''stimulus'' was a missed opportunity to provide true tax relief to the American people and for shovel-ready infrastructure projects that would have provided jobs. As more information on this stimulus package is revealed, I'm sure more terrifying news will be before us.

WHERE ARE THE JOBS?

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

Mr. BISHOP of Utah. Mr. Speaker, I want to introduce you to Mr. Pitchford. He is a young and exciting teacher who gets 12-, 13- and 14-year-olds to enjoy geography and history. But this September, he is not going to be back in the classroom because his district relies upon resource jobs and royalties and development to fund schools. And this administration, through the arbitrary and unilateral decisions of the Secretary of the Interior, has cut this funding. This is the administration that stopped new uranium development for 2 years, has postponed offshore drilling decisions, and has postponed oil shale development projects. And for Mr. Pitchford, has taken 77 oil and gas leases and suspended them because they don't think 7 years of study was enough time.

If we do not develop the resources on our public lands, jobs are lost. If we don't have cheap forms of affordable energy, jobs are lost. And those jobs aren't simply a number. They are a face of a real person like Mr. Pitchford, who is no longer a teacher not because of his choice, but because of government decisions. And the collateral damage of these government decisions are the 13- and 14-year-olds in his classroom. Where are the jobs? They're not in Mr. Pitchford's classroom.

WHERE ARE THE JOBS?

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

Mr. GOODLATTE. Mr. Speaker, let me ask a question. I don't know if it has been asked yet today. The American people want to know, where are the jobs? We have a Congress that has gone off the tracks. A trillion-dollar stimulus package, that's thousand-dollar bills stacked 63 miles high. Did we get any jobs? No. We have a budget with a $1.2 trillion deficit built into it. Are we going to get jobs? No. We are going to get inflation and higher interest rates.

We have a cap-and-tax bill that is going to kill American jobs by raising the cost of our traditional sources of energy, coal, nuclear and oil. We have a health care bill on the agenda before the Congress today that is going to kill jobs and raise the cost of health care to the American people rather than contain the cost and create more choice and more competition for the American people.

This Congress is out of control, and the American people want to know, Mr. Speaker, where are the jobs?

MENTAL HEALTH PARITY

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

Mr. KENNEDY. Mr. Speaker, today I rise in favor of the health care bill this Congress is considering. It would cap out-of-pocket expenses. It would eliminate preexisting condition discrimination. It would give patients a choice between our own physician and a government plan. It would eliminate lifetime caps for health care. It would eliminate the ability for people to no longer have the choice of having to choose a job and not be able to leave that job because of health care discrimination, no more denial because of a preexisting condition, and mental health parity for all insurance plans, irrespective of mental health preexisting condition.

Mr. Speaker, we need to have mental health screening annually covered, and that is what this bill does so that we treat it as a preventive item. For the 130 million Americans with mental health conditions, this will act as a preventive measure, saving us millions and millions of lives and dollars from suicide and the like.

BIPARTISAN SAFE COMMISSION

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

Mr. WOLF. Mr. Speaker, I offered a bipartisan commission amendment to the stimulus bill when it came before the Appropriations Committee and it failed. Had that amendment passed, we could have helped create jobs, deal with the debt and deal with the deficit.

Now 6 months later, we have unemployment rates at a 26-year high, and some say it will go to 11 percent, and some even say 12 and 13 percent.

We have piled another $787 billion on top of our children and our grandchildren. Social Security is in trouble. Medicare is in trouble. Medicaid is in trouble. Let's pass this bipartisan amendment so we can get control of the debt, get control of the deficit, create a renaissance in this country and create new jobs.

GOVERNMENT-RUN HEALTH CARE WILL COST JOBS

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

Mrs. BLACKBURN. Mr. Speaker, the health care proposals that are before us have been tried before. Public option was tried in my home State of Tennessee under a plan called TennCare. For more than 10 years, the legislature and three Governors tried to make it work. It has been less than successful. But what has happened is that a program that was supposed to have saved millions, tens of millions of dollars, has never saved one nickel. It also has restricted access. It has driven up the cost of private health insurance, and it has nearly bankrupted the State.

Tennesseeans know that rushing to reform health care and doing that wrong is a very expensive process. We all know that costs and access of health care needs to be addressed. No one seriously believes that any of these plans before this House right now is going to do that.

Tennesseeans know the cost of rushing and getting it wrong, and the American people are figuring it out because they have seen the majority rush a stimulus, an omnibus, a housingus and a porkulus that has left the American people saying, where are the jobs? And they do not want that to happen in health care.

□ 1330

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must enlist the cooperation of Members in heeding the gavel at the expiration of their time.

HOUSE REPUBLICANS HAVE A PLAN FOR REFORM

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

Mr. PRICE of Georgia. Mr. Speaker, in the midst of the worst recession in a generation, so what did President Obama and Speaker PELOSI do? Well, they propose a government takeover of health care that will lead to fewer jobs, higher taxes, and less health coverage.

As a physician, I know that government-run health care will end quality care. In addition, since the recession began, 6 million jobs have been lost; yet the Democrats' health care plan includes hundreds of billions of dollars in new taxes on small businesses, the job engine creation in this Nation, $800 billion in new taxes.

According to the economic modeling by the President's own Chief Economic Advisers, the business tax hikes alone would destroy up to 4.7 million jobs, and amazingly, an independent analysis by the nonpartisan Lewin Group found that 114 million Americans would lose their personal, private health insurance.

Mr. Speaker, the American people want real solutions to get our economy back on track, not another excuse to raise taxes on small businesses and working families. House Republicans have a plan for reform that expands access to affordable health care and saves jobs.

JOBS, JOBS, JOBS

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, the facts show that the stimulus has been a dismal failure.

Fact: the administration promised that it would create 3.5 million jobs. Instead, we have lost an additional 2 millions jobs. But not only is the administration and this Congress not succeeding in creating jobs; they're actually rushing to pass legislation that would even create more job losses.

Look, the Pelosi cap-and-trade bill would cost Americans anywhere between 2 million and 3 million jobs a year in additional job losses. The health care proposal would cost Americans 4.7 million jobs lost and lead to $1.3 trillion in new spending and huge tax increases.

Mr. Speaker, it's time to give relief to the job creators like the small businesses; and very respectfully I say, Mr. President, it's time to stop talking. Stop wasting taxpayers' money. Stop irresponsibly borrowing. Stop raising taxes. It's time to focus, focus on creating jobs. That would be a welcome change.

THE ADMINISTRATION IS HIDING OMINOUS NUMBERS FROM THE AMERICAN PUBLIC

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

Mr. ROGERS of Kentucky. In case you missed it, there was an ominous report in yesterday's Washington Post that said the administration is delaying for several weeks the congressionally mandated report on economic growth, job creation, and budget deficits, a report that's due right now.

The administration said yesterday, We're not going to tell you what's in that report for several more weeks. Why? I will tell you why. They don't want to downplay the politically damaging deficit numbers, the unemployment numbers, and the economic growth, or lack of growth, numbers that are in that report.

Why? Because it's an attempt to hide this record-breaking deficit as the Democrat leaders break arms to rush through this government takeover, the experiment in health care. That's why the administration is hiding ominous numbers from the American public.

DEVASTATING JOB LOSSES IN THE SAN JOAQUIN VALLEY

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

Mr. RADANOVICH. Mr. Speaker, I rise today to talk about the devastating job losses in my district in California. This Congress, with the help of the Obama administration, has taken away 40,000 jobs and almost $1 billion of income from the great San Joaquin Valley in California in a foolish attempt to protect a 3-inch fish.

The valley's unemployment now is at 20 percent, with some towns as high as 40 percent. Yet, the mere flick of a switch on the pumps in the delta will restore 40,000 jobs at no cost to the government.

In addition to this careless disregard for the farmers in my district, the Democrat leadership is now ramming through a $1.2 trillion health care reform measure that will eliminate 4.7 million jobs, small business jobs, and subject farmers to $500 billion in new taxes. And let's not forget the $846 billion national energy tax that will result in a 2.3 million job loss and cause the price of everything on the family farm to dramatically increase.

Mr. Speaker, where are the jobs? The Democrats are giving them to the little fishies in the San Francisco Bay delta. Go figure.

STIMULUS SPENDING

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

Mr. OLSON. Mr. Speaker, when Congress passed the American Recovery and Reinvestment Act, the administration argued that an $800 billion taxpayer-funded spending spree was necessary to create jobs. It was rushed through with no time to review the policies that would implement this massive spending plan.

The administration sold this spending spree as a jobs creation measure. Yet, it turns out that jobs weren't a priority at all.

A $3.9 billion stimulus funding announcement was made for smart grid investment grants by Vice President BIDEN in which he stated, ''This is jobs—jobs.''

Well, the Department of Energy didn't seem to get the memo. Application forms for grants asked: ''Will DOE use the number of jobs estimated to be created and/or retained as a criterion for rating a proposal for funding?'' The grant guidance says: ''No.''

Where are the jobs? Job creation was supposed to be the primary requisite for receiving recovery funds, and yet it was simply a reporting requirement. It was never about jobs.

WE SHOULD NOT ALLOW A RUSHED GOVERNMENT TAKEOVER OF HEALTH CARE

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

Mr. FRELINGHUYSEN. Mr. Speaker, as the House leadership prepares to rush to judgment on legislation that will lead to a government takeover of health care, 17 percent of our Nation's economy, it's instructive to look back a few weeks to the cap-and-trade energy debate.

Just before the Fourth of July break, leadership set another deadline to pass what will amount to the largest tax hike in U.S. history.

With unemployment soaring, policies that impose a national energy tax will only make things worse by increasing energy costs for all Americans, crippling small businesses, and putting more people out of their jobs.

Frankly, the legislation we passed is a gift that keeps on giving to our economic rivals like China and India whose economies are already sucking away U.S. manufacturing jobs at an alarming rate. Needless to say, as we saw from Secretary Clinton's recent visit to India, these nations do not plan to impose restrictions on their emissions.

Mr. Speaker, American families are struggling; there's no doubt about it. They're working to make ends meet and they are worrying about their jobs. We should not burden them with a new national energy tax, and we certainly should not allow a rushed government takeover of health care.

CREATING JOBS, NOT DESTROYING THEM

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

Ms. FOXX. Mr. Speaker, our economy is in the midst of a historic recession, and millions of Americans have lost their jobs over the past several months despite promises from Speaker PELOSI and President Obama that their extravagant spending would create jobs.

But Americans are a hardworking and resilient people. So I was excited when I heard from a laid off entrepreneurial constituent of mine from Allegheny County, North Carolina, who's working on starting his own business.

He plans to hire around 20 people over the next 2 years.

However, he recently wrote to tell me that if the Democrats' health care bill becomes law, the new taxes and burdensome rules will take a devastating bite out of his ability to grow jobs. In fact, he said he would hire only half the workers if this legislation becomes law.

Mr. Speaker, this is a travesty. This Congress should be implementing policies that create jobs, instead of burdening entrepreneurs with job-killing taxes and new government mandates and red tape.

THE POLICIES OF THIS ADMINISTRATION ARE LENGTHENING AND DEEPENING THIS RECESSION

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

Mr. McCLINTOCK. Mr. Speaker, I was struck by the chilling similarity between the broad-based taxes under the Waxman-Markey cap-and-trade tax we passed several weeks ago and the Smoot-Hawley Tariff Act of 1930 that economists blame as one of the major factors in producing the Great Depression.

Another of Hoover's blunders was the Emergency Relief and Construction Act of 1932. Its centerpiece was a radical increase in income tax rates from 25 percent to well over 50 percent.

If that sounds familiar, it should. That's one of the financing proposals in the health care bill that would push State and Federal income tax rates to more than 50 percent in most States.

Mr. Speaker, when I see the same policies from this administration that turned the recession of 1929 into the Depression of the 1930s, I'm reminded of Ben Franklin's observation that ''experience keeps a dear school, but fools will learn in no other.''

Mr. Speaker, these policies are lengthening and deepening this recession because this administration did not even learn from experience.

WHERE ARE THE JOBS THE DEMOCRATS SPENT $1 TRILLION TO CREATE?

(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. Mr. Speaker, you know, I think pushing government-controlled health care is a way for the Democrats to divert attention away from the economy.

The White House said we had to pass a stimulus because it didn't want unemployment over 8 percent. Unemployment is at 9.5 percent and slated to reach higher.

The White House said it didn't want to own General Motors. The government owns General Motors.

The White House said it didn't want any pork in the stimulus. Now, we're paying money to clear away obstacles for fish and to monitor earthquakes and volcanos.

The White House said it didn't want to increase the deficit. The U.S. deficit broke past $1 trillion in June, a grim testament to the recession and financial crisis.

I have one question, Where are the jobs the Democrats spent $1 trillion to create?

HEALTH CARE REFORM MUST TARGET ACCESS TO QUALITY AFFORDABLE CARE

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

Mr. BOOZMAN. Mr. Speaker, we must reform health care. Too many Americans do not have access to quality, affordable health care. Instead of resolving these problems, however, the President prescribes an overhaul that will deny Americans treatments they need and make them wait to get treatments that a new health care commissioner allows.

This is not the way to reform our health care system, and my constituents agree. I've received many calls and letters from Arkansans, like Michael who recently told me he owes his life to the fact that we don't have a system like the British-run government health structure that is being hastily proposed.

In 2007, Michael was diagnosed with renal cell carcinoma, something he's sure his doctor would not have caught had he had his hands tied in red tape health procedures. He owes his life to the care we were able to give through a free-market system.

We cannot rush through legislation that will have serious implications on care Americans like Michael receive. We need to take a reasonable amount of time to listen to the concerns of Americans like Michael and craft a commonsense bill that addresses the real problems.

WE SHOULD NOT BE DECIMATING THE CARE OF OUR SENIOR POPULATION

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, last week the Democrats released a health care bill which essentially said to America's seniors ''drop dead.'' Despite their promise to care for our seniors, Democrats have decided that it's too expensive to care for my senior constituents and everyone else's constituents.

This bill would cut an additional $156 billion from the Medicare Advantage program in order to pay for the government expansion of health care for the young, the healthy, and the wealthy.

This, by the way, is the second attack on our seniors this year. The first came in March when the administration announced that Social Security recipients would not receive a cost-of-living increase.

Listen up, America. Seniors have special needs. This bill ignores the needs of Florida's health care system. We should be fixing what is broke, not decimating the care of our senior population. This is change our Nation cannot afford.

□ 1345

FOCUS ON CREATING JOBS

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

Mr. SHUSTER. Mr. Speaker, the American people are hurting and they're asking, Where are the jobs? The Obama administration and congressional Democrats promised that the stimulus—the trillion-dollar stimulus—would create jobs immediately. Last month alone, we lost almost half a million jobs and unemployment now stands at 9.5 percent.

It's clear the Democrats' trillion-dollar stimulus package isn't working, and their response is to increase spending in the appropriations process by 12 percent, pass a national energy tax that's going to result in increased energy costs, less competitiveness for American jobs, and drive jobs from American shores.

Now they're trying to ram down a health care plan that's going to raise taxes on American business, cost jobs, and force people into a government-run health care plan.

We need to focus on creating jobs—and you do that by holding the line on taxes, controlling spending, and reforming health care. Let's focus on creating jobs and answering the American people's cry for, Where are the jobs?

CONSTRUCTIVE HEALTH CARE BILL

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

Mr. BLUMENAUER. It's been fascinating watching some of my friends parade to the floor making some pretty outrageous claims. The most recent one was, my good friend from Florida suggesting that by having the administration follow the law, that if the cost-of-living has not increased sufficiently, so that there isn't a cost-of-living increase for Social Security, somehow this is an administration assault on senior citizens. This is a rather bizarre notion when we think about their record when they were in charge, seeking to undercut formulas like the one in question to move them back in the other direction.

When it comes to health care, when our friends on the other side of the aisle, strong-armed their prescription Medicare drug coverage program into

law; did not seek concessions from the pharmaceutical industry; created the ''doughnut hole'' that has created a massive gap in coverage and no mechanism to pay for it.

What we're doing at this point is trying to move forward in a constructive fashion to give the American people choices, follow the law, save money, and improve the quality of care.

BUREAUCRATS IN CHARGE OF HEALTH CARE

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

Ms. FALLIN. Mr. Speaker, the American people are concerned about keeping their jobs and the huge deficit that we have incurred here and in the Senate, and passing that debt on down to future generations of our children.

With over a thousand pages, the Democrat health care bill costs too much, spends too much, and will destroy jobs in America. Health care reform should be about lowering costs, providing quality, affordable care for all Americans. And this health care debate must consider that every individual has different health care needs and that Americans are struggling to pay their bills.

The Democrat leadership has failed to address these needs by supporting the same old, tired proposals of massive Federal new spending and increased Federal regulation, which will cost the United States more jobs.

This time, cutting a bigger Federal check won't do it. Their plan amounts to $818 billion in new taxes on individuals, on businesses, and a Federal takeover of our health care system. These taxes will crush our small business owners and destroy thousands of jobs.

This plan will put bureaucrats in charge of our health care—and the American people don't want that.

LET'S PUT OUR HEADS TOGETHER ON HEALTH CARE

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

Mr. ENGEL. The majority Democrats in this Congress are trying very hard to pass a health care bill that will be a good bill for the American people. Our friends on the other side of the aisle don't seem to want to cooperate.

It's a national disgrace that there are 47 million Americans that have no health care coverage whatsoever. It's a national disgrace that our emergency rooms are being used to help people that have no coverage whatsoever. It's a national disgrace that so many of our health care dollars are going into administrative costs.

We are trying to craft a plan that will put America back on the road so that every American will have health care; so that health care as we know it will be improved; so that people that like their health care can keep their health care, but people that don't have health care, can get health care.

We know that the system is broken. I don't want to hear people on the other side of the aisle talk about deficits because when they were in the majority for 12 years, they gave us the biggest deficits in American history and left us with red ink as far as the eye can see.

So I would urge my friends on both sides of the aisle, let's put our heads together and come up with a real, good health plan that America can be proud of.

URGING CONGRESS TO DO THE RIGHT THING

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

Mr. MCHENRY. Mr. Speaker, where are the jobs? Unemployment in my district has hit 14 percent—14 percent. Failed stimulus aside, Washington is doing nothing but making matters worse.

Put yourself in the shoes of the only people that can lift us out of this economic recession—small business owners. Let's see what they're facing.

They're facing higher energy costs because of this Democrat cap-and-trade tax on energy. They're facing higher health care costs because of a government takeover of health care. They're looking at higher energy taxes, higher health care costs, and the kicker is, higher personal income taxes. The liberals are already proposing it.

The folks that are running Washington are out of touch with small business owners and are doing the wrong thing on our economy. And I urge the leadership of this Congress to do the right thing. Don't kill the goose that laid the golden egg. Don't kill small business owners. And don't hurt this economy any more.

WASHINGTON PROPOSALS IMPEDING JOB CREATION

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

Mr. DENT. The issue is: Jobs, jobs, jobs. A friend of mine who employs many people in my district said this to me the other day, The policy proposals coming out of Washington are impeding job creation and scaring people. He's right. And there are five reasons that are driving his concern.

One, a stimulus that spends too much, borrows too much, and delivers too few jobs. Two, a budget that doubles the national debt in 5 years and triples it in 10 years. Three, a card check bill that is undemocratic and imposes binding arbitration. Four, a national energy tax, cap-and-trade, that will cost 66,000 jobs in Pennsylvania and jack up electric bills for consumers. And, five, a House health care bill with enormous tax increases and mandates on small businesses and businesses of all size.

Enough is enough. Time for Washington to get out of the way and let job creators do what they know how to do—create jobs.

DOING NOTHING HAS A PROFOUND COST

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

Mr. CONNOLLY of Virginia. Mr. Speaker, we have heard some interesting rhetoric today about the impacts on small businesses and health care reform. Here's a statistic. If we do nothing, the cost of health care on our small businesses in the United States over the next 10 years will increase to $2.4 trillion. That's going to have a crushing burden on the ability of small businesses to do what they do best, which is to create jobs.

Only 48 percent of our small businesses currently provide health care. If we allowed those cost increases to occur by doing nothing in terms of health care reform, we're guaranteeing fewer Americans will have health care, we're guaranteeing fewer successes among small businesses that are the job generator in this economy.

Doing nothing has a profound cost. That's why we need health care reform. We need it now. We've waited 6 years. The time has arrived.

DOES ANYBODY SEE WHAT'S HAPPENING?

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

Mr. LINDER. Mr. Speaker, does anybody see what's happening? Does anybody even care? The $700 billion TARP program was to buy troubled assets. Did we do that? No. We bought car companies and banks. And we own them. And then we took the money away from the bond holders of the car companies and gave it to the unions.

The $787 billion stimulus package only stimulated more welfare. It hasn't created jobs. Not one. And now we have put upon us a government takeover of health care that's going to lose, according to Christina Romer's formula, 4.7 million more jobs.

This has never been about jobs for the Democrats. It's never even been about health care. It's about power.

Who's going to make the decisions over your life, the personal decisions? The Democrats think they can. We think you should.

Does anybody see what's happening? Does anyone even care?

WE CAN DO BETTER

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

Mr. GOHMERT. Mr. Speaker, $700 million for wild horses last Friday; $50 million for rare cranes and rare dogs and cats that don't even live in this country. We've got habitat problems in this country. The $800 billion stimulus hasn't stimulated anything except unemployment.

I just left a crime hearing and we found out that out of 207,000 people in Federal prison, 53,000 of them are not citizens. They're non-U.S. citizens. They're here—most of them, they said, were probably illegal. So there's 53,000 jobs Americans didn't want, committing crimes in America. We had to outsource that.

But this is too serious. I know as a former judge, if somebody had come in and said, Here's a mom who has all these kids and grandchildren and she's gone to a bank and said, Give me money, loan me money, I can't control my spending, you would take those beautiful children away and give them to somebody that would be responsible.

We can do better.

THE REPUBLICAN PLAN

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

Mr. HENSARLING. Mr. Speaker, it's time to admit the failure of Obamanomics. Where are the jobs? Since we enacted the President's economic program, 2 million more are unemployed in this land—9.6 percent unemployment, the highest in a quarter of a century.

So what do we have to show for Obamanomics? $143 billion more dollars of taxpayer bailout money. The first trillion-dollar deficit in our Nation's history. We had the national debt to be increased, tripled—triple—in the next 10 years.

We have found the historic debt, we have found the historic deficits, we have found the historic bailouts, Mr. Speaker. But where are the jobs?

You cannot bail out, borrow, and spend your way into prosperity. It does not work. It is time to put America back to work with tax relief for small businesses and American families. That's the Republican plan.

WHERE THE JOBS WENT

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

Mr. LATOURETTE. A number of my colleagues today have asked, Where are the jobs? Well, I don't know exactly where the jobs are because they haven't appeared. But I can tell you where the jobs went, at least in one company, and that's Chrysler.

When the Democrats opened this Congress, 4,000 people at Chrysler out of work. We honored a United States Senator. That's a nice piece of legislation.

But then things began to get serious. Almost 10,000 people out of work. The most important thing they could put on the floor is Supporting the Goals and Ideals of National Teen Dating.

Eleven thousand people out of work, we had to pass the Monkey Safety Act. Everybody likes safe monkeys. Thirteen thousand people out of work; Great Cats and Rare Canids Act. Sixteen thousand people out of work; Honoring Arnold Palmer. And 18,000 Chrysler workers out of work, the most important thing the majority could put on the floor is National Train Day.

But now they're getting serious because later today we are going to vote on Supporting the Goals of National Dairy Month.

That's the jobs.

MORE CREATIVE SOLUTIONS

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

Mr. FORTENBERRY. Mr. Speaker, as Congress takes on the essential task of strengthening America's health care system, we have a choice here to either rush legislation costing more than $1 trillion or to have a serious analysis on the fundamental question as to how we actually improve health care outcomes, reduce costs, and protect vulnerable persons.

One major consideration should be how any health care proposal will affect small businesses. Small businesses generate 60 to 80 percent of all new jobs each year in this country. In my hometown of Lincoln, Nebraska, 80 percent of those in the private sector are employed in businesses with 25 or fewer employees.

This current plan would place an 8 percent payroll tax on certain small businesses who do not or cannot provide government-mandated coverage.

Mr. Speaker, one study suggests that as many as 4.7 million jobs could be lost as a direct result of this overall health care proposal. This does not help anyone.

There are more creative solutions to get people the care they need, help families manage ever-increasing costs, and help small business entrepreneurs provide the benefits for their employees.

□ 1400

THE RECORD ON JOB CREATION

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

Mr. HOYER. I have been listening to this litany of ''Where are the jobs?'' I have been here long enough. Mr. PENCE, you opposed the program in 1993. You said it would destroy this economy. You said it would blow deficits sky high. It created 216,000 jobs per month on average.

You then supported an economic program in 2001. You said it would be a haven for jobs and small business and all that. You created not 216,000 jobs per month but 4,240. Those are the figures. I'm sure that you will all want to come here and say, ''No, Hoyer was wrong on those figures.''

Under the economic program we propose, 216,000 new jobs every month on average. Under your program for the last 8 years under the Bush administration, 4,240 per month. That is a very substantial difference between 20.8 million new jobs under the economic program that you did not support in 1993 that we proposed, passed, and President Clinton signed.

So when you talk about jobs, you ought to talk about the experience that you've had under our program and your program. You failed. We succeeded. As a matter of fact, in the last year of the Bush administration, we lost 3 million-plus jobs. During the last year of the Clinton administration, we gained 1.9 million jobs. That's a 5 million job turnaround by your economic program.

So keep talking. America knew the difference. America made a decision. They said what you had been doing was not what they wanted so they changed. In 2006, they changed the Congress, and in 2008 they changed the Presidency.

And let me tell you something. We have lost 200,000 less jobs per month than Bush lost in his last 3 months in office, over the last 3 months. Now, is that where we want to be? It is not. But it is 200,000 better than the last 3 months in your administration. Those are the facts. Refute them if you can. Keep talking.

THIS ADMINISTRATION IS ASLEEP AT THE WHEEL

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

Mr. MCCAUL. Mr. Leader and Mr. Speaker, where are those jobs? We have the highest unemployment rate since the 1930s. They say a picture speaks a thousand words.

Mr. HOYER. Will the gentleman yield?

Mr. MCCAUL. Well, look at this picture.

Mr. HOYER. I thought it was since 1982 when Ronald Reagan was President.

Mr. MCCAUL. Reclaiming my time, they say a picture speaks a thousand words. Well, look at this picture right here because it says it all.

This is a picture of Larry Summers, the President's top economic adviser. Look at him. He's not creating jobs. He is asleep. Mr. Speaker, I would submit to you, this administration is asleep at the wheel.

The Vice President recently said that we can spend our way out of bankruptcy. What? Really? Spend our way out of bankruptcy? What happened to Economics 101? I think the American people are smarter than that.

Instead of cutting taxes and spending, which has historically worked, instead, we are enacting policies that

will devastate our economy; a national energy tax that will kill 2.5 million jobs and, according to the President, skyrocket energy prices. A health care bill that, according to the CBO, will spend over $1 trillion and kill 4.7 million jobs.

It is time, Mr. Speaker, for the American people to wake up.

PARLIAMENTARY INQUIRY

Mr. PENCE. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. PASTOR of Arizona). The gentleman from Indiana will state his inquiry.

Mr. PENCE. Mr. Speaker, I would respectfully ask, as both I and my record were directly challenged by the distinguished majority leader on the floor, and given the fact that I've already utilized my 1 minute extended during the debate at the opening of this session, when a Member's record is challenged on the floor of the Congress, does a Member, under the Rules of the House, have the opportunity to obtain time when the distinguished majority leader refuses to yield time?

The SPEAKER pro tempore. Only if someone yields to the gentleman.

Mr. PENCE. Further parliamentary inquiry.

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

Mr. PENCE. Mr. Speaker, is it proper for a Member to direct an entire address to another Member of the body as opposed to the Chair or the Speaker?

The SPEAKER pro tempore. Members must direct their remarks to the Chair, not to others in the second person.

Mr. PENCE. Further parliamentary inquiry, if I may.

The SPEAKER pro tempore. The gentleman will be heard.

Mr. PENCE. Therefore, Mr. Speaker, would it have been in order for the distinguished majority leader to raise questions about my record and the positions that I've taken here in the Congress during the course of my career in the context of floor debate under these rules?

The SPEAKER pro tempore. The Chair cannot issue an advisory opinion on a question of order not timely presented.

Mr. KING of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana be allowed to address the statement that was made by the majority leader.

The SPEAKER pro tempore. Has the gentleman from Indiana previously been recognized for a 1-minute?

Mr. KING of Iowa. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KING of Iowa. Is there a rule that prohibits this body from agreeing to a unanimous consent request to allow a Member to be recognized?

The SPEAKER pro tempore. Is the gentleman seeking recognition to speak for 1 minute?

Mr. KING of Iowa. Mr. Speaker, I am recognized for a parliamentary inquiry, as I understand it. My parliamentary inquiry is: Does there exist a rule that prohibits a Member from being recognized to speak under a unanimous consent request?

The SPEAKER pro tempore. This is a matter of recognition. As the Chair stated before, if the gentleman has already had a 1-minute, he is not allowed a second.

Mr. KING of Iowa. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The Chair could recognize for a unanimous consent request that the gentleman from Indiana be allowed to speak out of order.

Mr. KING of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana be allowed to speak out of order.

The SPEAKER pro tempore. The Chair would entertain that request from the gentleman from Indiana.

WHERE ARE THE JOBS?

Mr. PENCE. Mr. Speaker, I ask unanimous consent to speak out of order for 2 minutes.

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

Mr. JACKSON of Illinois. Objection.

The SPEAKER pro tempore. Objection is heard.

Mr. PENCE. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute.

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

There was no objection.

Mr. PENCE. Mr. Speaker, the distinguished majority leader came to the floor moments ago, and he asked the question that Republicans have been asking since midday today. It's a question that millions of Americans are asking, ''Where are the jobs?''

Now the leader—I know it was unintentional—misstated my record, saying that when I was here in 1993 that I opposed health care reform. In fact, I was elected to Congress in the year 2000. But it was an honest mistake and a misstatement of fact, and I acknowledge it.

But can I just suggest, Mr. Speaker, on behalf of the millions of Americans that may be looking in, let's stop looking to the errors of the past by Democrats or Republicans and let's come together today to create jobs for the American people.

Republicans are here to say that a government takeover of health care, financed by $1 trillion in tax increases is a disaster for this economy. It is unconscionable for this majority and this administration to insist on the adoption of a government takeover of health care financed by $1 trillion of tax increases during the worst recession in 25 years.

As the distinguished majority leader just said, Republicans say with one voice, ''Where are the jobs?''

WHERE ARE THE JOBS?

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

Mr. NEUGEBAUER. Well, Mr. Speaker, where are the jobs? That's what the American people want to know. What they know is the plan that the Democrats have isn't working, spending money we do not have. Not just a little bit of money but trillions of dollars that we don't have.

Chairman Bernanke spoke to the House Financial Services Committee today, and he said: Maintaining the confidence of the public and the financial markets requires that policy measures begin planning now for restoration of fiscal balance. Unless we demonstrate a strong commitment to fiscal sustainability, we will have neither fiscal financial stability nor doable economic growth.

I'll interpret that for you. If we keep spending money we do not have, we are not going to create jobs. We are going to lose more jobs.

Last week, the Federal deficit in this country reached $1 trillion. If you started counting to $1 trillion, it would take you 17,000 years.

We're talking about real money. We cannot continue on this spending spree that Congress is in, spending money that we do not have.

Mr. Speaker, where are the jobs? The American people want their jobs back.

THE FAILED POLICIES OF THE PAST 6 MONTHS SHOULD NOT BE REPEATED

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

Mr. ROGERS of Alabama. Mr. Speaker, where are the jobs? The President and Speaker PELOSI came to this House early this year and said, if you'll borrow and spend $1.1 trillion, which is the largest spending bill in American history, it's going to save existing jobs and create another 3 million jobs. Well, where are those jobs?

They say, Well, you know, we had to spend that money because we couldn't go to the failed policies of the past and repeat those. Well, they would like to rewrite history. But the fact is, in 2003, this Congress passed one of the largest tax cuts on small businesses in America in our history, and it was followed by over 50 months of consecutive job growth, the largest consecutive period of time of expansion of jobs in American history.

I would suggest to you, the only failed policies of the past that we shouldn't repeat are the failed policies of the past 6 months.

WHERE ARE THE JOBS?

(Mr. KING of Iowa asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. KING of Iowa. Mr. Speaker, I would say to the leader, where are the jobs? I listened attentively. I pricked my ears up. I thought I was going to find out where the jobs are. I didn't hear that answer.

I looked back at what happened for the 108th and 109th Congress. Members of the Democrats came down on the floor and they said, Just put us in charge and we'll solve the problem. They won the majority, and we saw a hockey stick graph going downward of industrial investment. That's what happened to our economy; it reacted to the Democrat majority.

You elected President Obama. Now you don't have any excuses, and you are angry because we are asking, ''Where are the jobs?''

There are 14.5 to 14.7 million unemployed, another 6.8 million that are simply looking for a job that don't fit into that category, 21.3 million people looking for jobs in the United States, all of this under Democrat leadership.

We had historically low unemployment and a growing economy because we lowered taxes, and we kept the pressure off of regulation. You are turning this into the nationalization of the private sector and the health insurance industry, and the American people don't want to live in the kind of countries that exist on the east side of the Atlantic Ocean or north of the 49th parallel.

Where are the jobs?

IMPORTANCE OF JOBS IN THE PRIVATE SECTOR

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

Mr. CONAWAY. Mr. Speaker, I hear a recurring theme about jobs: Where are they? Who has them? Who doesn't have one?

In a different life, I participate at a needs assessment in a community that I lived in that went through a process of looking at what needs were in families, in neighborhoods, and in the community. Once we distilled that list down to the top 10 needs for this particular community in Midland, Texas, if you looked at them, out of all 10 of those, nine of those needs would have been positively impacted by a job.

You cannot overstate the importance of jobs in the private sector, because when you have jobs in the private sector, individuals are better, families are better, communities are better, and this Nation, as a whole, is better.

I can tell you where the jobs aren't. Here is a list of 53 new boards, commissions, and bureaucracies that are created under the health care plan that is percolating its way through this system. That plan will cost 4.7 million private sector jobs, but it will do a good job of creating additional bureaucrat jobs that don't create wealth and don't improve the overall economy of this country.

Mr. Speaker, where are those private sector jobs?

ALABAMA IS SUFFERING FROM A HIGH UNEMPLOYMENT RATE

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

Mr. ADERHOLT. Mr. Speaker, in February, the administration assured us that if Congress would pass the stimulus bill, then we would see immediate relief and halt unemployment at 8 percent; yet it is now 9.5 percent on average, and it's rising. But the jobs have yet to appear. So where are the jobs?

This problem hits home for me because Alabama is suffering from a greater unemployment rate than the national trend. Mr. Speaker, the Alabama unemployment rate topped 10 percent in June. It is the highest level since July of 1984. The June rate of 10.1 percent is up from 9.8 percent in the previous month of May.

At this time last year, Alabama's jobless rate was half that at only 4.6 percent. The current unemployment rate is 10.1 percent. That represents over 215,000 unemployed Alabamians. The congressional district that I represent is suffering even more with an unemployment rate of about 12 percent, and that's on the average.

At a time when families are struggling to make ends meet, the unemployment rate is rising, further evidence that we cannot borrow and spend our way back to a growing economy.

□ 1415

WHERE ARE THE JOBS?

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

Mr. KING of New York. Mr. Speaker, 6 months after the Democratic administration came in with such promise, tens and tens of millions of Americans are asking, Where are the jobs?

Instead, during the past 6 months we've seen the systematic mismanaging and dismantling of the American economy. We've seen a stimulus bill which cost over $1 trillion in new spending with almost no tax relief for small business, with almost no needed infrastructure, but again, money on top of money. The President said jobs would come almost immediately. Instead, the situation gets worse by the week.

We saw a cap-and-tax so-called energy bill which is going to result in millions of jobs going to China and India.

And now we see a health care bill which will ration medical care, at the same time, according to the CBO, increase medical costs, the worst of all worlds.

Mr. Speaker, it's time for the American people to tell this administration and this Democratic-controlled Congress to work together in a bipartisan way so we can say, here come the jobs, not seeing the jobs leave our country, not seeing millions of millions of people being unemployed because of failed liberal Democrat policies.

WHERE ARE THE JOBS?

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

Mr. FRANKS of Arizona. Mr. Speaker, America is facing an unemployment and mortgage crisis unlike anything we have seen since the Great Depression.

Only months ago, President Obama pledged that he would create 3½ millions jobs by the end of 2010 and told us that the unemployment rate would stay below 8 percent if we passed the allegedly urgent trillion-dollar ''economic stimulus'' bill.

But, Mr. Speaker, since the President has assumed office, employment has dropped by over 2½ million jobs. We've lost 8 million jobs since the beginning of the Democrat-led 110th Congress, and half a million of those were in June alone.

The jobless rate stands at 9.5 percent, and the President himself admits that it's likely to climb over 10 percent.

This Congress and this administration must be reminded by the American people that what comprises true economic growth are jobs and economic productivity by the people. Higher taxes, increased regulation, reckless spending, bureaucratic selection of economic winners and losers and out-of-control deficit spending, these are the Democrat policies of the last five months, and they diminish productivity instead of encouraging it. They will kill jobs. And unless we change course, Mr. Speaker, this country faces an unprecedented economic failure.

WHERE ARE THE JOBS?

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

Mr. LAMBORN. Mr. Speaker, I rise today troubled about the Democrats' proposed government takeover of our health care system. The Congressional Budget Office has confirmed that this legislation will not reduce costs but, rather, drive health costs up higher for American families.

In addition to rising costs, according to the White House's chief economic adviser, Christina Romer, business tax hikes alone could destroy up to 4.7 million jobs.

Congress should consider free-market and Tax Code reforms to make our health care system better.

The President and his majority in Congress failed to produce jobs with the so-called stimulus. Where are the jobs?

Why should we trust them with revising the one-sixth of our economy based on health care, when their own advisers say it will mean millions of more jobs lost?

EMPOWERING PATIENTS

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

Mr. CASSIDY. Mr. Speaker, I actually applaud the goal of our Democratic colleagues in terms of the health bill they are putting out. Access, quality, and controlling costs are things that we should all aspire for. Absolutely.

And I agree with parts of the legislation. Guaranteed access, for example, is just wonderful. But, of course our concern is that CBO comment that it's not going to control cost, not achieve one of these goals, but rather, reset it to increase it. And we know as the cost of health care increases, that will be one more thing that inhibits growth and jobs.

So what can we do? One, we do need fundamental reform, which, as the CBO has pointed out, this bill does provide. We need to put the patient in charge of health care decisions and dollars. We need to empower patients to make value-conscious decisions, empower them with the information they need for reasonable decisions by increasing transparency on the pricing of health care.

Let's empower them by incentivizing wellness programs at lower costs and improved lives. Let's empower them with things such as HSAs, which have been shown to decrease costs by 30 percent and, indeed, give insurance to those previously uninsured. Empowering patients is the only way to lower cost and increase access.

WHERE ARE THE JOBS?

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

Mr. BACHUS. I just came from a hearing with Chairman Bernanke. There were some questions he could answer, but others he couldn't answer. We asked him, Where are the jobs? He couldn't answer that question. He said unemployment would remain high through 2011. He said he's not sure that the stimulus created any jobs. It might, but he couldn't answer that.

He did answer one important question, though; and he was very certain. He said, if we continue spending like we're spending today, we're on a rendezvous with financial disaster. He said, and he left no doubt, that we had to reduce our spending, that the deficit was going to threaten the prosperity of our Nation, not only our children and our grandchildren, but today, tomorrow. He said, we have to reduce spending. He said, spending is out of control. He said, the baby boomers in the next year or two would overwhelm the Federal budget. He said, bring down the spending.

LET'S DO IT RIGHT

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, while our Nation is facing record unemployment, we may well worsen the job situation if the proposed health care bill passes in its current version; 4.7 million more jobs are estimated to be lost and a trillion dollars in more taxes. That's bad medicine.

We still have not addressed the hundreds of billions in health care waste, but are proposing spending hundreds of billions more. We should not be substituting the barriers, burdens and, bureaucracy of insurance companies with the barriers, burdens, and bureaucracy of Uncle Sam's health insurance company.

I want to get people back to work. I want to make sure they're covered by health care. I want our Committee on Energy and Commerce to reconvene to get to work on this bill. It is going to take time. We need to take the time to fix this. Let's do it right. But let's not work towards artificial deadlines, and let's get America back to work with good health care.

WHERE ARE THE JOBS?

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

Mr. SHADEGG. Mr. Speaker, I believe in health care reform. I have been fighting for it since I got here in 1995.

I came to the floor this morning to talk about this amendment. It's an amendment that was rejected by the Democrats last night. It says that no Federal employee should be able to dictate how a medical provider practices medicine. And it was rejected by the Democrats. Apparently Democrats in their health care bill want Federal employees, bureaucrats to dictate how your medical provider practices medicine. I think that's shocking. I don't want a Federal bureaucrat between me and my doctor or between you and your doctor.

But I got here and discovered that we are not supposed to ask, Where are the jobs? I don't get it. What's embarrassing about that question? It's a fair question. Where are the jobs?

When the Obama administration was sworn in, unemployment was 7.6 percent. When the stimulus passed, it was 8.1 percent. And today, it's 9.5 percent. And we're not supposed to ask where are the jobs? I think it's a legitimate question. I guess it's an embarrassing question. I'd like to know where the jobs are.

LET'S WORK TOGETHER TO PUT PEOPLE BACK TO WORK

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

Mr. ELLSWORTH. Mr. Speaker, I was sitting in my office, and I heard a lot of folks asking where the jobs were.

I downloaded an article from the Evansville Courier Press, which happens to be in Indiana. It says: ''Stimulus has Hoosiers working.''

I'll make a few quotes out of this article: ''More than 2,400 people are now at work on Federal stimulus-funded roadway projects in Indiana, according to a state report being released today.''

'' 'Things were slowing down, and the stimulus filled in the gap,' said Tim Mahoney, an economics professor at the University of Southern Indiana. 'It's kept the people employed that would be laid off,' '' says that same article.

''What's clear is that the stimulus projects have boosted an industry otherwise floundering in Indiana.''

'' 'In general, it definitely puts our people to work,' said Pete Bjorkman, the chief estimator for Evansville-based J.H. Rudolph'' construction company.

''Our crews are going to be working more hours and more days because of this . . . ,' he said. 'It is creating more crews, more hours for our people that wouldn't have been there before.' ''

Mr. Speaker, I listened in the office to the stuff being said back and forth. To the folks in the audience and the people that are walking out there, Mr. Speaker, they're tired of this crap that's going on back and forth. We need to work together to put people back to work.

JOBS AND THE ECONOMY

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

Mr. CAO. Mr. Speaker, the present unemployment rate in the United States is 9.5 percent and climbing, and the American people are hurting. Our economic downturn is a challenge that will require prompt bipartisan action.

As Congress moves forward with the national debate on the economy, it is imperative that we detract from illogical partisan bickering and avoid the empty political posturing that got us into this mess in the first place.

The American people have real problems, and they want real solutions that require less talk and more action.

I represent a district that is over 60 percent African American, and I have seen firsthand how this economic slump has disproportionately hurt minorities more than any other group in the United States. Among African Americans, the rate of unemployment and uninsured workers is highest.

While there are a number of options for getting our economy back on track, it is important to remember that our

Nation's proudest achievements have developed with a bipartisan, solutions-oriented consensus.

WHERE ARE THE JOBS?

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

Mr. MCKEON. Mr. Speaker, my friends are asking, Where are the jobs? It's a good question because we were told in February, when the stimulus package was passed, that four or five million jobs would be created. Since then we've lost 1,963,000 jobs.

It's not bad enough that we're not doing anything to create jobs from the administration's side. But we're actually doing things to kill more jobs.

I just left a markup for the Education Committee where the majority is killing a program that has been very successful since 1965, has helped millions of students go to college and provided an education for them, and now they're eliminating that program, along with it, 40,000 jobs.

I have constituents at home that are really suffering. They're asking, Where are the jobs? It's about time you started doing something to produce them.

WHERE ARE THE JOBS?

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

Mr. FLAKE. Mr. Speaker, people are asking, Where are the jobs? And I think it's an appropriate question to ask.

I myself get a little leery when any administration, any administration, says that they're going to create jobs. They do so for a while, but government jobs don't last very long, or they shouldn't last very long.

What the administration should do, and this Congress, is create an environment in which private sector jobs can be created. And that's what we're not doing with this health care bill. This health care bill will kill jobs, not create them. It doesn't create an environment where jobs can be created.

Now, the administration and this Congress say we've got to get to work. But last week, last Friday we spent an entire day on a welfare-for-wild-horses bill. There's an old Garth Brooks song that says, wild horses keep dragging me away. And, apparently, wild horses keep dragging this Congress away from actually creating an environment where jobs can be created. And this health care bill goes the wrong direction.

□ 1430

GOVERNMENT IN HEALTH CARE

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

Mr. FARR. I hear from the other side that government takes over health care. I'm just wondering which one of you Members is going to give up your Navy doctors downstairs to take care of you. Which one of you is going to give up your Federal health care plan which insures all the members of your family? Which one of you is going to give up Medicare for all of your constituents? Which one of you is going to give up the veterans' care in the veterans' clinics that are in your districts? Which one of you who loves the military that is doing such a great job of defending our country in Iraq and in Afghanistan is going to take away the military TRICARE program?

Yes, government is involved in health care. It sure is. That's what our country is surviving and living on. Let's make this work and stop attacking each other.

A LOT OF TALK ON THE SECOND STIMULUS

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

Mr. ROONEY. Mr. Speaker, there has been some talk recently about the potential of a second stimulus package. Why would we need such a second stimulus? Because the first one didn't work. It's not rocket science, and the American people know it.

What the American people don't want to hear is that prior Congresses or that prior administrations used to do this, or that prior Congressmen were engaged in this, that or the other. What Americans want now is leadership and solutions moving forward, not how things used to be.

I'm new here. I came here because the American people were sick and tired of the way things used to work. Unemployment will soon reach double digits, and it already has in my district, the 16th District of Florida.

The first stimulus didn't work because the Federal Government is not capable of taking taxpayer money and properly redistributing it. So let's have a second stimulus package. Let's give tax breaks to small businesses and to small business owners. Let them hire and keep the people that they want to work for them. That's the American way. America works when people make it work, not when the government takes over.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members—and this is not directed at the gentleman from Florida (Mr. ROONEY), who just spoke—that Members should address their remarks to the Chair and not to others in the second person.

WHERE ARE THE JOBS?

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

Mr. HUNTER. Mr. Speaker, California unemployment is at 11.6 percent, and State Democrats in California destroyed the job market and the manufacturing base there through bureaucratic overregulation, unrealistic mandates and punitive fees and taxes. Congressional Democrats here in Washington are following California's lead with the national energy tax that's going to cost every American family $3,000 a year and with the job-killing health care plan projected to cost over 4 million jobs.

I've simply come to the easy conclusion that Democrats don't like small business. I've come to the conclusion that Democrats don't like jobs. Those of us in California have seen this movie before, and it ends like ''Thelma and Louise''—with the economy driving off a cliff in the Grand Canyon. And it's being driven by congressional Democrats.

GOVERNMENT DOES NOT KNOW BEST WITH REGARD TO HEALTH CARE

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, only in Washington, D.C., does government know best. My friends on the other side of the aisle think they know how to create jobs: stimulus I and possibly II, cap-and-trade, health care reform, higher taxes, more regulation, more government intervention. The Democrats think this is going to create wealth and jobs in our economy.

Mr. Speaker, we need to be about the business of overhauling taxes, of bringing commonsense regulation reform to the people, of giving people real choice to make decisions for their health care between them and their doctors. It is about empowering people, not government. What I'm talking about, Mr. Speaker, is not socialism. It's freedom. With all that our colleagues on the other side have done, and with all that they propose to spend, I ask a simple question, Mr. Speaker: Where are the jobs?

THE DEMOCRAT SPAGHETTI DINNER OF HEALTH CARE REFORM

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

Mr. BURTON of Indiana. Mr. Speaker, this chart is not a spaghetti dinner. It may look like it, but it's the Democrats' health care plan. If you were a person out in the hinterlands, looking at this, you would think, How in the world am I going to get health care coverage for me and for my family if I have to go through all of that? It's going to cost trillions of dollars—trillions.

In addition to that, there are going to be jobs created, 4.7 million jobs in China and in India, and their energy bill, cap-and-trade, is going to create 2.5 million new jobs in India and in China because it's going to drive jobs offshore because the small businesspeople will not be able to afford to pay all of these bills and taxes that the government is creating right now.

The Democrats need to do something. They need to cut taxes and help the small businessman make a profit and create new jobs. If they do that, we will have jobs, but right now, we don't know where the jobs are. Unemployment was supposed to cap at 8 percent. In Indiana, it's close to 10 percent. It's going to go to 12, 14, 15 percent if they don't change and change now.

WHERE ARE THE JOBS?

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

Mr. LUETKEMEYER. Mr. Speaker, if we're all real quiet and if we turn down the rhetoric and if we listen very attentively, I think we can hear the voices of our constituents back home—the people who pay the taxes of this country. What are they saying? What question are they asking? Where are the jobs? Where are the jobs, Mr. President? Well, we're not hearing them, are we?

They've seen the $800 billion stimulus package that was passed through this House, that was rammed down our throats and that had no effect. In fact, we've gone the other direction. Instead of increasing employment, we've gone the other way. We're now at 9.5 percent, headed towards double digits. What is the solution? A second stimulus is being talked about. Is that really what we need to do? In this last stimulus, there was a little bitty piece for small businesses. They're the ones that generate the jobs. They're the ones that can turn this economy around. They're the ones that can hire the people. Yet we ignore them. We turn our backs on them.

Oh, there are those voices again. I think I can hear them. Yes, they're louder this time. They say, Where are the jobs, Mr. President? Where are the jobs?

OBAMA MISERY INDEX

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

Mr. CAMP. Mr. Speaker, the chart next to me shows the Obama Misery Index, OMI, which reveals a stunning rise in debt and in unemployment. ''Oh, my,'' I think, is the right title for the index of current and future burdens that Americans face.

Despite campaign pledges of fiscal responsibility and of job creation, since Inauguration Day, we've seen an $800 billion stimulus bill, massive energy taxes and a legislative agenda that has resulted in a rapidly growing debt alongside rising unemployment. Taken together, these figures define the effect of the President's policies to date, not only revealing their failure to deliver jobs for today's workers but an even larger government tab for our children and grandchildren to pay. Already the unemployment and debt on President Obama's watch is a stunning 40.6 percent—the current Obama Misery Index actually felt by the American people.

After the Vice President's recent claim that the government needs to spend more money to keep from going bankrupt and after the CBO, Congressional Budget Office, Director suggests that the $1 trillion Democrat health care bill will add to the country's budget problems, this measure may only worsen in months ahead.

Mr. Speaker, where are the jobs?

FUTURE JOB LOSSES AT RURAL HOSPITALS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to address the issue of job loss at rural hospitals if the current health proposal were to become law. The Democrats' public plan assumes reimbursement rates based on Medicare.

In the July letter from the Blue Dog Coalition to Speaker PELOSI, the coalition reported that Medicare reimbursement pays, on average, 20–30 percent lower than private plans. Actual costs are made up through private insurance reimbursement, which will be gone if the Democratic plan plays out. This will have a severe negative impact on rural hospitals, and it will leave us asking: Where are the jobs?

Many providers suffer financial losses as a result of treating Medicare patients. The lower rates make it more difficult for rural providers, who serve higher percentages of elderly and low-income patients. A new public plan with rates similar to Medicare's will create a financial result that will be unsustainable for even the Nation's most efficient, high-quality providers. The result is a loss of good jobs in rural America.

During this time of economic downturn, we need to be focused on the retention of existing jobs and on encouraging and not discouraging our rural hospitals.

FREEDOM OF AMERICANS TO CREATE JOBS

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

Mr. HOEKSTRA. Mr. Speaker, last week, the President visited Michigan. With an unemployment rate of 15.2 percent, we were hoping that the President would answer the question: Mr. President, where are the jobs? When will the jobs come back to Michigan?

We had hoped that the President would have come to Michigan and would have recognized that raising taxes, that excessive spending and that more regulation wouldn't work, because that is what we've done in Michigan. We now have the highest unemployment rate in the country.

Mr. President, take a look at Michigan. Recognize that we need to reduce taxes, that we need to control spending and that we need to reduce regulation to get this economy moving.

America and Michigan will begin moving forward again when we empower its people, not when we empower the bureaucracy and the governments in Washington or in Lansing. It's about freedom. Give our constituents the freedom to spend their money to create their jobs.

WHERE ARE THE JOBS?

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

Mr. WALDEN. Mr. Speaker, I rise today to continue this question of: Where are the jobs?

The gentleman who spoke just before me is from Michigan, where their unemployment is upwards of 14 percent. Oregon's unemployment rate is now over 12.2 percent and is second only to Michigan.

Our basic industries have been shut down. My part of the State, by Federal policy, prevents us from even harvesting burned dead trees in a timely manner from our Federal forest lands and accessing our resources. Now along comes legislation that says if you take woody biomass off Federal land and use it to make new, clean, efficient energy, if it comes up as certain types of stands, it doesn't count. It's not renewable. So the jobs that would go with the creation of that were really diminished or were taken away fully by the cap-and-tax legislation, which we know is going to cost 1 million or 2 million jobs in this great State of ours.

I was out in John Day and Nyssa and Burns this weekend and Baker City. Everywhere I went at town meetings, the rooms were full, and people were asking, What are they doing to us in Washington? Where are the jobs?

CUT TAXES, CONTROL SPENDING, CREATE A COMMONSENSE ENERGY POLICY

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

Mr. JORDAN of Ohio. Mr. Speaker, the reason our economy is not creating jobs is that small business owners are asking themselves, What's coming next out of this place? Always remember this, Mr. Speaker: The American people are smart. Small business owners

are smart, but they're apprehensive; they're anxious about what's coming next from this Congress.

Is, in fact, this Congress going to pass cap-and-trade that's going to raise the cost of energy? Is, in fact, this cost of energy going to raise taxes? Is this Congress going to federally take over health care and make health care decisions for every single family and for every single small business owner out there?

That's why we're not creating jobs. We need to do what we know always works: cut taxes, get spending under control and enact a commonsense energy policy.

CUT TAXES, CREATE JOBS, REBUILD THE ECONOMY

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

Mrs. BIGGERT. Mr. Speaker, I rise to address how this Congress and this administration are handling the number one concern on the minds of Americans today—jobs. Despite promises of quick action and of immediate returns, hard-working parents in my district and around the country are still staying up nights, worrying about whether they will have jobs in the next month, in the next day or in the next week to provide for their children.

In response, House and Senate leaders' only answer seems to be higher taxes and massive new government spending. Already our children and grandchildren are on the hook for the $1 trillion so-called ''stimulus bill'' that has resulted in almost 10 percent unemployment nationwide, even higher in my home State of Illinois.

Now the House leadership seems intent on pushing through another $1 trillion-plus health care takeover that only promises more taxes on small businesses and working families. The result: fewer jobs except for Washington bureaucrats who will be rationing out health care procedures for patients.

Mr. Speaker, we can do better. Let's work together on real solutions to cut taxes, to create the jobs and to rebuild this economy, not just more Washington spending with no end in sight.

□ 1445

JOBS ARE BEING SHREDDED

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

Mr. TIBERI. Mr. Speaker, a hundred of my colleagues have come and asked, Mr. Speaker, ''Where are the jobs?'' We passed a stimulus bill months ago, and in Ohio, we had 33,000 jobs lost just last month. The jobs I see created, Mr. Speaker, are here in Washington—czars, commissars—not real people back in Ohio.

Mr. Speaker, where are the jobs? We passed a bill on this floor creating a national energy tax which is going to cost Ohioans hundreds of thousands of jobs. We're debating a health care bill where small business owners are concerned that they're going to shed additional jobs at a time when we need small business owners to create more jobs.

Mr. Speaker, Ohioans, as this chart points out, are shredding jobs in this administration, are shredding jobs this year. We're creating a record amount of deficits, record debt, higher taxes. All Americans want, all Ohioans want, Mr. Speaker, are jobs.

Where are the jobs?

JOBS ARE HEADED TO INDIA AND CHINA

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

Mr. UPTON. Mr. Speaker, the question of the day is ''Where are the jobs?'' I will tell you where they're not. They're not in Michigan. Our unemployment is 15.2 percent. And sadly, in this House, we passed an awful energy bill a couple of weeks ago called cap-and-trade. That bill will add nearly a trillion dollars to the cost of businesses and homes across this country. Does that help with jobs? Absolutely not.

In fact, one of my constituents in Michigan said their utility increases, their electricity costs will go up by nearly 40 percent by the year 2024. Is that going to help with jobs? Absolutely not.

Did the Rules Committee allow us to add jobs with an amendment that would build perhaps as many as 100 new nuclear reactors in this country, tens, if not hundreds, of thousands of jobs? No. The Rules Committee said, You cannot offer that amendment.

Now, where are the jobs going? They're going to India and China. Did you happen to see on July 16 The New York Times where Secretary Chu said that if China's emissions of global warming gasses keep growing at the pace of the last 30 years, the country will emit more gasses in the next three decades than the United States.

Where are the jobs?

TWO AGENDAS

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

Mr. DEAL of Georgia. Mr. Speaker, my State of Georgia now has an unemployment rate in excess of 10 percent. As you've heard, other States are in worse condition. We are asking today the question of where are the jobs. We spent millions and billions, and perhaps even now trillions, of dollars throwing money at the problem, and yet the job losses continue.

The legislative agenda that's been adopted by this administration and by this House has primarily two pieces of legislation. First is the cap-and-trade, a bill that is setting us on a path that has already been followed by some of our European countries, Spain in particular. They set out on this path of green jobs over a decade ago. The result is 17.5 percent unemployment. The green bubble burst, and for every job they created, they lost 2.2 jobs.

The second major approach of this House has been the new health care reform bill, a bill that will tax employers 8 percent of their payroll amounts if they do not provide health insurance for their employees. What does that mean? New jobs? No. It means losing jobs that we already have.

Mr. Speaker, it's appropriate to ask, where are the jobs?

THE MORE CONGRESS SPENDS, THE WORSE THINGS ALWAYS SEEM TO TURN OUT

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

Mr. POSEY. Mr. Speaker, the stimulus bill was advertised as a way to reduce unemployment and help put this economy back on track. The blue line on this chart represents the projected path of the unemployment rate. That was below 8 percent prior to the stimulus being passed. The red line shows, in fact, what actually happened since the stimulus bill was passed. It was well-intended, but surely it was misguided.

Now, the more Congress spends, the worse things always seem to turn out. So let's get out of the bailout business. Let's get out of the stimulus business. Let's get out of the national energy tax business, and let's not get into the health care business. Let's let the free enterprise system and the small businesses that made this economy great stay strong and create jobs.

WE SHOULD BE SPURRING JOB CREATION

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

Mr. ROYCE. Mr. Speaker, accompanying the spike in the private sector job losses throughout our economy, we have seen a massive government intrusion into the private market. This Chamber recently passed cap-and-tax legislation which gives Washington 17 percent over the economy. If we move towards nationalized health care—the next priority for the administration—it could shift another 16 percent of our economy towards Washington, D.C.

The Federal Government already runs General Motors and Chrysler. It now has a huge equity stake in dozens of our financial institutions. We've witnessed a massive $800 billion stimulus package that has failed to deliver the promise of an increase in job growth. And this flawed approach has failed to deliver because government spending does not increase the size of the economic pie. What it simply does is take

money out of the private sector and shift it to the government.

Real economic growth has always and will always come from the private sector. And instead of continuing this trend, shifting our economy to one centered on bureaucrats, which is exponentially increasing our deficit and killing off the private sector, we should be spurring job creation.

JOB-KILLING LEGISLATION

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to strongly oppose efforts by the majority to rush through a misguided health care experiment that will greatly increase the already sky-high unemployment in my State. At a time when Floridians are facing double-digit unemployment, Congress should not be pushing through a government takeover of health care that will be paid for by a tax hike on small businesses.

And a recession nearing double-digit unemployment nationally will discourage job growth and creation leading to even higher unemployment and people with employer-based health insurance being forced onto the government plan. This job-killing tax, combined with the crushing debt some in Congress have been piling on our children and grandchildren to pay for Big Government programs, will make it much more difficult for future generations to succeed.

I urge my colleagues to reject this small business tax.

WHERE ARE THE JOBS AND TRANSPARENCY

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

Mr. ISSA. Mr. Speaker, I rise today to say three things: Where are the jobs? Where is the transparency that was promised? And where will the savings come from in a health care proposal that, in fact, starts off by talking about savings while, in fact, increasing spending?

You don't need a new tax if everything is already taxed and you are going to save. You only need a new tax if, in fact, you are going to spend more money, create more waste, fraud, and abuse.

Mr. Speaker, the President said we would not go above 8 percent, that the stimulus would in fact drive down the tendency towards unemployment and, in fact, create jobs.

Mr. Speaker, where are the jobs? They were not created.

Mr. Speaker, the President said that this administration would have unparalleled access and transparency, and yet the special IG for the Troubled Asset Relief Program has said just the opposite, that he's being blocked at every step, that, in fact, he's not getting the transparency that he was promised.

Mr. Speaker, where are the jobs? Where is the transparency?

AMERICA'S RIGHT TO KNOW MONTH

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

Mr. RYAN of Wisconsin. Mr. Speaker, I propose that we make August America Right to Know month. That means Americans have a right to know what this Congress is doing in proposals that change their lives, and what I'm talking about is the health care legislation.

Just a couple of days ago, we marked up this legislation in the Ways and Means Committee, about a thousand pages, and it came to us 3 minutes before midnight the day prior to us marking it up.

We had an amendment in the committee that said, If we're going to impose this new health care system on the American people, Members of Congress, themselves, should be put into this system. What happened to that amendment? It went down by a party-line vote. Republicans said ''yes''; Democrats, except for Mr. DAVIS of Alabama, said ''no.''

We also said let's recognize the fact that we're taxing people, a lot of taxes on people earning less than $250,000. That violates the pledge people believed they had in the last election. What was the vote? The Republicans said, no, let's not tax people earning less than $250,000; the Democrats said, yes, we will continue to tax those people, violating this pledge, this promise the American people thought that they had on Election Day.

August ought to be the month where America gets to know what's going on.

EXCESSIVE UNEMPLOYMENT

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

Mr. MICA. Mr. Speaker and my colleagues, my district extends from Orlando to Daytona Beach. The State of Florida now has in excess of 10 percent unemployment. Nationally, 9.5 percent unemployment. Where are the jobs?

Congress passed a $787 billion so-called stimulus package. I took to the floor and spoke from the Democrats' side of the aisle and pleaded with folks that we needed jobs and we needed to invest in America's infrastructure; instead, we put less than 7 percent. So to date, out of $787 billion and $48 billion for transportation highway money, we have $523 million expended.

Mr. Speaker and my colleagues, where are the jobs? People want to work. They don't want government handouts. They don't want government welfare or food stamps. They want jobs in my district and throughout the Nation.

Where are the jobs, I come back to ask, that this country needs and our people need?

AGENCIES, PROGRAMS, AND COMMISSIONS BETWEEN YOU AND YOUR DOCTOR

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

Mr. BRADY of Texas. Mr. Speaker, there are a lot of people in Texas who are worried what kinds of jobs they will have when this new government-run health care plan goes through Congress, 1,018 pages delivered to us a few minutes before midnight. We had until 9 o'clock to read it and start voting on it.

Here's the plan: Thirty-one new Federal agencies, programs, and commissions in between you and your doctor taking away control of your health care.

At the committee, we asked, What does all this cost? They said, We don't know the price tag. We offered amendments. We said, Can you certify that Members of Congress read this bill and let the public read it? They said they thought that was a bad idea. We asked about rationing.

We were worried about wait times for family physicians and second-class cancer treatment. They said that would be too inconvenient to provide information, and they defeated it.

Then finally we said, Let's strike the taxes on small businesses, and they refused to, saying small businesses have it so easy, they need to raise taxes on them.

Ladies and gentlemen, we don't want the government telling us what doctors we can see, what treatments we can receive, and what medicines we can receive.

WASHINGTON-KNOWS-BEST MENTALITY

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

Mr. KINGSTON. Mr. Speaker, last October, President Bush and Hank Paulson said to the Congress we need to bail out the financial services industry. We have to do it bold and we have to do it quick or the financial markets will tumble. Well, we passed the $700 billion TARP program, and still stock portfolios, savings of Americans all through the country dropped by 30 or 40 percent.

In January, NANCY PELOSI and President Obama told us that we had to act bold and fast to pass the stimulus program because the unemployment rate was 8 percent, and now 2.5 million jobs have been lost since that and unemployment is up to 10 percent.

And now the same Washington-knows-best mentality is telling us to rush through a government takeover of health care by August 1. This will result in a bureaucrat taking the place of

your doctor telling you what procedures you will have. It will result in a $1 trillion Federal program. It will result in rationing and a huge tax increase on farmers and small businesses.

Ladies and gentlemen, we have to slow down. Let's learn from the stimulus program. Let's learn from TARP. Let's slow down the process.

BLUE DOGS NEED TO ENFORCE BILL

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

Mr. SHIMKUS. Mr. Speaker, the pending health care legislation does one thing: It does bend the cost curve, but it bends it up. That's not according to me or my colleagues. That's according to the Congressional Budget Office that says private insurance rates will go up and the public option insurance will go up. What does that result in? 4.7 million jobs could be lost as a result of increased taxes, particularly hard-hit small businesses.

Where are the jobs?

My Blue Dog colleagues are down at the House negotiating some face-saving measure in this bill, and I'm going to include this list of their proposals, but I want to make sure that they comply with their July 9 letter which says it must be deficit neutral, it must protect rural health care, it must ensure bipartisanship, and finally, any health care reform legislation that comes to the floor must be available to all Members and the public for a sufficient amount of time before we are asked to vote on it.

This is government. This is transparency. The Blue Dogs need to enforce it.

□ 1500

THE JOBS WERE IN WYOMING

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

Mrs. LUMMIS. Mr. Speaker, ''where are the jobs?'' could be answered in one word, in my State of Wyoming. We were hiring people when our energy industry was robust from other States that were losing jobs, like Michigan. But the cap-and-trade bill that passed this House last week changed coal bonus payments from being paid over 5 years to now being paid in one lump-sum payment.

We are going to destroy jobs in Wyoming. So the people who moved from Michigan to Wyoming to find good-paying jobs are now going to have to return to Michigan or stay in Wyoming and be unemployed.

It is because of the activities of this Congress. This Congress has not been happy to watch States like Michigan suffer. They have decided to make States like Wyoming, that were producing energy for this country, suffer right alongside States like Michigan. Our State, which had a healthy economy before cap-and-trade, before the Obama presidency, is now suffering just like the rest of the Nation. Our unemployment has doubled in Wyoming, Mr. Speaker.

UNSUSTAINABLE DEBT

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

Mr. SMITH of New Jersey. Mr. Speaker, it was Albert Einstein who said that ''the most powerful force in the universe is compound interest.''

That's great, Mr. Speaker, when compound interest is working for you—in building a nest egg for your children's college costs or for retirement. But when compound interest is working against you, it's catastrophic.

It is absolutely devastating, especially for a Nation on the intermediate and long term, when that Nation recklessly spends taxpayers' money and causes huge, unsustainable deficits.

As of June 30, the national debt was $11.5 trillion—over $37,000 per person. In June alone, the deficit rose by over $220 billion, a year's worth of deficits in 1 month! Now CBO says that the number, the total debt to the United States, will double in the next 10 years. It took 180 years for us to get to that $11.5 trillion. Under President Obama's massive spending it will double in just 10 years. Nothing puts our economy at greater risk of implosion and job loss than unsustainable debt.

COMMONSENSE SOLUTIONS ARE THE CURE TO OUR ECONOMIC WOES

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

Ms. JENKINS. Mr. Speaker, last November, Americans sent a clear message. They wanted change in Washington. But they also asked for accountability, transparency, and for politicians to respect their tax dollars.

Unfortunately, from the $787 billion so-called ''stimulus,'' trillions in bailouts, and the $3.55 trillion budget, Washington has gone on a reckless spending spree with taxpayer dollars.

And now the majority in Congress is trying to pass a government takeover of health care that will add $239 billion to the debt our kids will have to pay back.

Prime time press conferences don't hide the fact that since January, our Nation's debt has skyrocketed by more than $1 trillion, that our debt to China increases each day, and that our Nation is facing double-digit unemployment levels.

Kansans know you can't spend money that you don't have. Congress must learn this lesson. As a CPA, a former State treasurer and a mother of two teenagers, I'm convinced that we need commonsense solutions to rein in spending, keep taxes low and get Americans back to work.

JOBS WILL BE LOST AS A RESULT OF HEALTH CARE REFORM

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

Mr. CRENSHAW. Mr. Speaker, it's pretty clear that we've lost a lot of jobs in this country, and I think it's pretty clear that we are going to lose a whole lot more jobs if we pass this health care plan.

I thought Members might want to just hear a firsthand personal example. I've got a longtime friend that lives in Florida. He has a small business. By the way, he voted for Obama this year. He said, I'm going to vote for Barack Obama, even though I'm a Republican, because we need some change in this country.

I saw him this weekend. He said, hey, have you seen that Obama health care plan? I said, yeah, as a matter of fact, I have. A lot of people have seen it. He said, man, that's not the change that I was voting for. He said, that's going to kill my business. He said, I'm going to see my taxes go up. He said, we're already laying off people, but if they put that penalty on us that I read about, then I'm going to have to lay some more people off. He said, this is killing me.

And I'll tell you, that's happening all over the country, not just in Orlando, Florida, but all around the country. So we need some reform, but we need the right kind of reform, and this is not it.

$746,000 OF TAXPAYER MONEY FOR ONE JOB

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

Mr. SCHOCK. Mr. Speaker, in the last 6 months, a lot has changed. We have a new President of the United States, we have a new Congress, the 111th Congress, and we have 3.1 million fewer jobs, and an increase of 28 percent in unemployment just in the last 6 months.

What was the reaction? What was the response from the new administration and of this Congress? Well, we need to pass a stimulus bill, and we need to pass it now. No time for debate. No time for amendments. No time for input from the minority. We need to pass it now.

This bill had less than 24 hours of debate on this floor before it was passed out of the floor, and yet the President took 4 days to sign it. What did it do? It spent $787 billion, the largest spending bill in our country's history.

And what have we gotten? The administration says we created 150,000 new jobs after spending $112 billion.

Well, get out your calculators. That is $746,000 of taxpayer money for one job.

Where are the jobs?

PRESIDENT'S HEALTH CARE PLAN LOSING SUPPORT

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

Mr. SMITH of Texas. Mr. Speaker, a new ABC News/Washington Post poll has found that for the first time, less than half of Americans support President Obama's health care plan. Since April, approval of the President's handling of health care has dropped 8 points, while disapproval has risen 15 points.

In an example of fair reporting, the Post put the poll results on its front page yesterday. Other news media have not been as candid in their coverage of health care.

When the Congressional Budget Office director revealed that the health care bill ''significantly expands the Federal responsibility for health care costs,'' the evening news programs on both CBS and NBC failed to report the CBO's key finding, nor have they reported how many jobs will be lost under the President's health care plan.

Mr. Speaker, with so much at stake, Americans need the media to report all the facts on health care.

HEALTH REFORM IS SOCIALIZED MEDICINE

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

Mr. CAMPBELL. Mr. Speaker, earlier this year, President Obama told us that all this reckless spending he was doing was going to create jobs.

Mr. Speaker, where are the jobs? Instead of jobs, we get a so-called ''health reform'' bill. And this provision of that bill tells Americans that they will be prohibited from having their own insurance. They will be forced into a government health plan run by something like the IRS.

Mr. Speaker, this health plan is socialized medicine, pure and simple. And in addition to that, it will cost more. It will increase taxes on the wealthy and a whole lot of other people. It will increase the deficit. It will lower quality. It doesn't cover everyone. And it is projected to lose another 5 million jobs of Americans.

Mr. Speaker, this is not reform. This is just nuts.

1934 CHICAGO TRIBUNE

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

Mr. BURGESS. Mr. Speaker, this weekend, I received a communication from a constituent at home who brought to my attention a political cartoon that ran in the Chicago Tribune 75 years ago in 1934. It is often said that history doesn't repeat itself, but if you listen closely enough, it will rhyme. Or said another way, those who do not recall their history are doomed to repeat it.

The constituent who sent this to me is a retired FBI agent. He wrote in his e-mail, ''change the names and the situation looks very familiar.'' Saul Alinsky, the leader of community organizers in Chicago, would be pleased with the current situation. When you look at the caption, spend, spend, spend under the guise of recovery, bust the budget, blame the capitalists for failure, junk the Constitution.

Mr. Speaker, this was apropos 75 years ago. It may well be apropos again today.

RADAR IN SOUTH FLORIDA

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

Mr. HASTINGS of Florida. I would ask my colleagues on the other side if they would tell me, what is their health care plan? Is it just that we shouldn't do health care? What part of it would you not do? is the question that I ask.

But I really rise, Mr. Speaker, to take cognizance of a very fine day yesterday of bipartisanship. A former colleague of ours, the now-Secretary of Transportation, Ray LaHood, came to south Florida along with FAA Director Randy Babbitt to meet with several of us regarding radar in south Florida. On the flight from USAir here, Administrator Babbitt and I had an opportunity to hear a flight attendant do something very nice. She recognized and complimented 30 members of the Booker T. Washington High School class of 1949 in Miami who were en route here to Washington. It was a wonderful gesture, and it made for a wonderful day.

My colleagues here who continue to rant about us not having health care, I wonder what they would say if we do nothing? Will health care stay the same? Or will it rot?

CREATE WEALTH AND CREATE JOBS

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

Mr. INGLIS. Mr. Speaker, I'm not here to ask the President to make good on his promise about those jobs, because I don't believe that government creates jobs. Government doesn't create wealth. All it does is move wealth around. We need jobs.

But I am here to ask the President to make good on the idea of producing the right policies that would create jobs by creating wealth in the private sector. And I would suggest to my colleagues that the way to do that is to have a low-tax situation, a lighter touch on regulation and less litigation. It's really those three things. If you have low taxes, light-touch regulation, and less litigation, we will expand the American economy, we will create wealth, and we will create jobs.

That is something that we can be doing here in this Congress. It is something that we can cooperate on getting done, and we can serve the American people. We can deliver American solutions.

DON'T WRECK MEDICARE

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

Mr. MORAN of Kansas. Mr. Speaker, I for one believe that the health care system must be reformed. I've said that and have worked in that regard during my time in Congress. But I'm greatly concerned about the plans that I see coming forth for us to consider in this Congress.

The single-payer plan raises concerns with me on behalf of senior citizens across the country, especially those I represent in Kansas. The plan that we are currently operating under, Medicare, provides wonderful services for many Americans, for senior citizens. But the reality is, that plan is bankrupt. We will spend $38 trillion more than we have over the next 75 years.

The plan is expected to be bankrupt by 2017. So the idea that we would expand the plan when it already is in financial difficulty baffles my mind. The plan is to raise $820 billion in taxes, and we still leave the national debt increasing by $239 billion. This plan needs attention, and we need to make certain that what we do does not wreck the health care delivery plan we have in place for seniors today, especially in places like Kansas, where senior citizens are dominant. That plan does that.

□ 1515

THERE IS SERIOUS TROUBLE IN PARADISE

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

Ms. ROS-LEHTINEN. Mr. Speaker, where are the jobs? I rise today to discuss the rising unemployment in my congressional district of south Florida. Last week, the Bureau of Labor Statistics released data indicating that unemployment in Miami-Dade County was at nearly 11 percent. This represents a notable increase from 9.9 unemployment just last month.

Mr. Speaker, south Floridians are hurting. In Miami, workers in the food service and hotel industries have had their hours cut in half because of a reduction in tourism. These workers are working two, three jobs in order to pay the bills.

In the Florida Keys, recreational fishermen are docking their boats permanently as the industry grapples with one of its slowest seasons in history.

There is serious trouble in paradise as hardworking small businesses and middle-class families remain uncertain about their economic future. That is why it's imperative that this Congress gets serious about providing real solutions for our constituents. They cannot afford to wait because they are looking for jobs.

WASTEFUL GOVERNMENT SPENDING IS HAVING DEVASTATING CONSEQUENCES ON THIS COUNTRY

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

Mr. SULLIVAN. Mr. President and the Democrat majority, where in the heck are the jobs? With this stimulus bill and more than $1 trillion spent and zero job growth, where are the jobs?

With the national energy tax passed by this House, it levies billions of new energy taxes on the American people, costing the average American family $3,100 more a year to heat and cool their home and put gas in the tank of their car. Where are the jobs?

On health care, our Democrat majority's $1.2 trillion government takeover of our health care system mandates a one-size-fits-all, government-run health care plan on most Americans. Their plan is to nationalize our health care system and create new mandates, government bureaucracy and inefficiency that will only serve to drive up costs of our health care system even more.

Wasteful government spending is having devastating consequences on this country. It also could cost 4.7 million more jobs and hurt small business.

WE NEED TO FOCUS ON SAVING THE COUNTRY'S HEALTH CARE SYSTEM

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

Mr. YARMUTH. Mr. Speaker, when I was a young boy, a radio station went on the air in Louisville, Kentucky, and for the first week of its existence played one song over and over. It was called ''Purple People Eater.''

I am reminded of that event today as we've heard speaker after speaker from the other side repeat the same tired Republican talking points. What we haven't heard is one idea about how to fix our dysfunctional health care system which is threatening every business in this country, threatening our competitiveness and our long-term economic prospects.

It is time that this Congress and our colleagues from the other side focus on saving this country's health care system. We heard one gentleman from the other side saying we're facing $38 trillion in additional debt in Medicare. We're trying to make sure that that doesn't happen.

I wish our colleagues on the other side would help us in that task.

GOOD ENERGY POLICY IS GOOD JOBS POLICY

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

Mrs. EMERSON. Mr. Speaker, in southern Missouri, rural families are struggling with job losses. We are a vibrant district with a time-honored work ethic, but job losses have hit us especially hard during a time of unprecedented economic challenges.

Constituents call my office every day, and they're asking what is Congress doing for them, how are we helping the manufacturing worker who doesn't want to go to the unemployment office because he really just wants to go back to work. And I hear a lot of justifiable anger from the same callers about Congress' policies that are going to make it tougher for them to get back to work. Cap-and-trade is the focus of their frustration and mine.

Today, unemployment is still severe in southern Missouri with the potential to go much higher, much higher, if the cap-and-trade bill becomes law. More than 3,000 jobs could be lost in the Eighth District in a single year, and the few new green jobs this bill would create won't be in our communities.

Mr. Speaker, this bill will leave with us a legacy of energy cost increases that will kill generations of jobs in rural America and in southern Missouri. Like my constituents, I am ready and willing to get to work if you will only give us the opportunity.

Good energy policy is good jobs policy. I hope we can reverse course on cap-and-trade so it doesn't destroy our rural economy.

THE HEALTH CARE BILL WILL CREATE ADDITIONAL TAXPAYER EXPENDITURES

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

Mr. WHITFIELD. Last night, as the Energy and Commerce Committee met to debate the new health care reform bill offered by the Democratic Party, as I looked through the analysis by CBO, I discovered that there was a reduction in Medicare benefits over the next 10 years in excess of $450 billion.

In addition to that, there was a reduction in reimbursements to hospitals of $155 billion over the next 10 years.

The part of it that bothered me most is that in so many rural areas, programs like Medicare Advantage, home health care, skilled nursing care were particularly hit by these reductions.

In addition to that, this bill provides for an additional tax on employers, a tax on individuals that do not go out and buy health insurance once the mandate goes into effect; and, still, the bill is not paid for. And as the CBO director indicated, this bill will not save taxpayer money. This bill will create additional taxpayer expenditures.

WE DON'T NEED A GOVERNMENT TAKEOVER OF HEALTH CARE AND WE DON'T NEED ADDITIONAL JOB LOSSES

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

Mr. SOUDER. Where are the jobs? Last week, the health care bill was passed through the Education and Labor Committee, jammed through in an all-night session; and, supposedly, it offered a public-private option.

Just a few minutes ago, we finished an Education and Labor markup. Where we once had a public-private option in direct lending, 80 percent chose the nonpublic option. So what did we just do? We eliminated the private option, and the Federal Government is going to be a giant bank, one of the biggest banks in the world, taking over all student lending.

When we talk about the needs in health care, we need to address the problems that we're facing, the gaps in the health care system, how to make it more efficient. What we don't need is a government takeover of health care with no private options. We don't need higher taxes on the small businesses and the people in my district who are struggling with a mean of 15 percent unemployment in my eight counties. We don't need additional job losses.

And this bill unbelievably had a clause added that will add more jobs for ACORN. When people in my district said they wanted more jobs, they didn't mean more jobs for ACORN.

AMERICA DEMANDS REAL REFORM

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

Mr. DAVIS of Kentucky. Mr. Speaker, it's an outrage the way health care is being approached in this country. Voters did vote for change; but, apparently, that's all they're going to have left in their pocket.

I sat through a 17-hour markup on the Ways and Means Committee last week, and I didn't see one constructive process. I didn't see the voices of Democrats and Republicans heard on addressing the delivery system for Medicare to re-engineer it to reduce billions of dollars in cost.

Instead of reforming the private insurance industry that many of us want to do on both sides, Speaker PELOSI's response to that and the Democratic response to that is we'll legislate them out of business by undercutting them with a Medicare-like system which will punish rural America.

And finally, egregiously, there's been no addressing of liability reform that

punishes our doctors and health care providers with junk lawsuits.

America demands real reform. We want real reform. Slow this thing down and give account to America for the kind of health care people need and want and that's affordable and accessible and not a government-run plan.

GREATEST THREAT TO THE ENVIRONMENT AND ECONOMY FROM CAP-AND-TRADE BILL WAS SMOKE COMING OUT OF THE BACK-ROOM DEALS

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

Mr. BILBRAY. Mr. Speaker, the American people were promised a climate change bill that would address the emissions problems. The problem is that their greatest threat to the environment and the economy from the so-called cap-and-trade bill was the smoke coming out of the back-room deals that were cut to create this monster that's being called cap-and-trade.

Frankly, I will just tell you the whole concept that when we had a chance to get government out of the way and build new zero emission generating facilities to be able to provide clean energy for the economy and for the environment, instead of that, this Congress decided to drop the cap and tax, tax, tax.

And anyone that's worked on emissions issues will look at this bill in the future and say how could somebody with a straight face go back to their district and say that this bill is going to clean up the environment and help the economy? It is going to continue the pattern of a massive emission while we get the economy driven down.

There is no cap in this bill, only taxes.

WE SHOULD HAVE DONE THE STIMULUS RIGHT THE FIRST TIME

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

Mr. KLINE of Minnesota. Mr. Speaker, people are asking where are the jobs.

As my friend from Indiana said moments ago, we just came out of amending a bill in the Education and Labor Committee where we wiped out the private sector in the student lending business, tens of thousands of jobs just erased.

As all my colleagues know, this House, this Congress, passed a stimulus bill which was supposed to create jobs. Instead, we've been losing millions of jobs.

I find it interesting that the Republicans offered an alternative to that stimulus bill which would have cut taxes and created twice as many jobs, and now Christina Romer, the President's economic adviser, when she's been pressed on news interviews on two separate occasions in May and again in July about where are the jobs and why isn't the stimulus working, she said, well, the tax cuts in the stimulus bill are working.

How ironic. We should have done it right the first time.

WE NEED A PRESCRIPTION OF LOWER TAXES AND LOWERING SPENDING

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

Mr. GUTHRIE. I remember walking into my home one night when I was a senior in high school after school, 1982. My father and mother were talking with each other with a distressed look on their faces, and my dad was telling my mother that he was losing his job. The factory where he expected to work his entire life was shutting down. This was 1982, the recession, a recession like we find ourselves in today; and the prescription from Washington was to lower spending and to cut taxes.

In the late 1980s, my father decided to take advantage of the economy and create a plant that he used to work at; and he decided to start a new plant, created over 500 jobs because Washington's prescription was lowering taxes and lowering spending.

The prescription today coming out of Washington to try to get out of this recession is to raise regulation and to raise taxes; and, Mr. Speaker, I believe that's why we're lingering in this recession, because people don't want to invest, because they're concerned about what's happening here in Washington, D.C.

FIRST, DO NO HARM

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

Mr. PLATTS. Mr. Speaker, as the House of Representatives addresses the very important issue of health care reform, we need to adhere to the principles of all physicians: first, do no harm.

Unfortunately, the legislation that came out of the House Education and Labor Committee late last week does not adhere to this principle. CBO tells us it will drive up the costs of health care in the United States. In fact, when it's fully implemented, over $200 billion a year this plan will cost, it will not protect the right to keep the insurance coverage that you currently have. If you like it—that was one of the underlying principles of the administration—this bill will not protect that right.

It will not adhere to that principle: do no harm. It will drive up costs. It will take away freedom of choice of the American citizens, and it is also going to have an impact on the ability for small businesses to provide insurance because of the taxes included in this bill. It's going to cost people insurance because small businesses will not be able to continue to afford the 8 percent payroll tax as well as an increase on small businesses filing a subchapter S.

First, do no harm. We need to adhere to that principle. Unfortunately, this legislation does not do that.

REPUBLICANS HAVE BEEN CUT OUT OF THE PROCESS

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

Mr. NUNES. Mr. Speaker, I wasn't going to come down here, Mr. Speaker, but then I heard the distinguished Democrat leader, Mr. HOYER, come down and chastise us for using 1-minutes. Mr. HOYER, you know why we're using these 1-minutes. It's because you've cut us out of the process.

For the first time in this Nation's history, appropriations bills aren't under open rules. So we have no opportunity to offer amendments under the appropriations bills.

So you can understand why, in my district, having almost 20 percent unemployment, some of the highest unemployment in the country because this government fails to act to get water to the people to provide for the general welfare of the people of my district, this is why we come down here, Mr. HOYER.

So I would suggest that we probably won't do this again because you will probably take away this advantage that we have of using these 1-minutes to make our case before the American people. I assume this will be the last day we have unlimited 1-minutes, but I can promise you that if you just go back to the open rules process on the appropriations bills, we will gladly not use these unlimited 1-minutes this way.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will kindly remind Members that remarks in debate should be directed to the Chair and not to others in the second person.

NEVADA'S ECONOMY IS THE MOST DISTRESSED IN THE NATION

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

Mr. HELLER. Mr. Speaker, in a recent study Nevada's economy is now determined to be the most distressed in the Nation; and if you recall, 4 months ago we passed a stimulus package and we were promised by this administration, and by the majority, if we do this, if we pass this stimulus package, that we'd only have 8 percent unemployment. It would never exceed 8 percent unemployment. Yet we had to do it right now. We had to pass this piece of legislation.

Well, I'm here to tell you today that Nevada's unemployment is at 12 percent, and that this administration says

that the unemployment is even going to go higher.

So the question is, What did the stimulus do for Nevada? Well, in Las Vegas, Las Vegas has received to date $4,833. So the question is, Where's the money? $4,833 to Nevada and to Las Vegas.

Las Vegas Mayor Oscar Goodman said, ''I bet more on a football game than what the city's received.''

I ask the Speaker: Where's the money and where are the jobs?

□ 1530

JOBS

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

Mr. BROUN of Georgia. Mr. Speaker, I rise today because I want someone to show me the jobs that we have been promised by the Democrats. Many counties in my district have unemployment rates of more than 13 percent.

Show me the jobs, Mr. Speaker. My colleagues on the Democratic side of the aisle promised that their trillion-dollar stimulus would immediately create jobs and unemployment would not rise above 8 percent. Nothing could be further from the truth. In June alone, almost half a million jobs were lost, driving unemployment to its highest level in 26 years.

Now, after shoving a $646 billion energy tax down the throats of the American people, liberal leadership is now shoving a multitrillion-dollar health experiment. According to the CBO, this will cost 750,000 more jobs and push 100 million Americans off of their private health care plans.

Mr. Speaker, I ask you to show me the jobs and show me why the American people should believe once again that a trillion-dollar experiment will work.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings now will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Con. Res. 164, by the yeas and nays;

H.R. 2729, by the yeas and nays;

H.R. 1622, by the yeas and nays; and

H. Res. 507, by the yeas and nays.

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

RECOGNIZING 40TH ANNIVERSARY OF THE FOOD AND NUTRITION SERVICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 164, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 164.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 596]

YEAS—422

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

NOT VOTING—11

Cleaver
Davis (TN)
Hill
Kirk
McCarthy (NY)
McHugh
McMahon
Moore (WI)
Reyes
Sestak
Waxman

□ 1556

Mr. FRANKS of Arizona changed his vote from ''nay'' to ''yea.''

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

Stated for:

Mr. McMAHON. Mr. Speaker, on rollcall No. 596, had I been present, I would have voted ''yea.''

AUTHORIZING NATIONAL ENVIRONMENTAL RESEARCH PARKS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the

bill, H.R. 2729, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. LUJÁN) that the House suspend the rules and pass the bill, H.R. 2729, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 330, nays 96, not voting 7, as follows:

[Roll No. 597]

YEAS—330

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boccieri
Bonner
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
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
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fleming
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E.B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
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
Luetkemeyer
Luján
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
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
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—96

Akin
Bachus
Barrett (SC)
Bishop (UT)
Blunt
Boehner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Campbell
Cantor
Carter
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Culberson
Deal (GA)
Dreier
Duncan
Fallin
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Latta
Linder
Lummis
Lungren, Daniel E.
Manzullo
Marchant
McClintock
McHenry
McKeon
Mica
Moran (KS)
Myrick
Neugebauer
Olson
Paul
Pence
Petri
Platts
Poe (TX)
Price (GA)
Roe (TN)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Stearns
Thornberry
Tierney
Upton
Walden
Westmoreland
Whitfield
Wittman
Young (AK)

NOT VOTING—7

Kirk
McCarthy (NY)
Murphy (CT)
Paulsen
Sestak
Speier
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1603

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR NATURAL GAS VEHICLE RESEARCH AND DEVELOPMENT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1622, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. LUJÁN) that the House suspend the rules and pass the bill, H.R. 1622, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 393, nays 35, not voting 5, as follows:

[Roll No. 598]

YEAS—393

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McCotter
McDermott

McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—35

Akin
Bishop (UT)
Broun (GA)
Campbell
Chaffetz
Coble
Culberson
Duncan
Ehlers
Flake
Franks (AZ)
Garrett (NJ)
Harper
Hastings (WA)
Hensarling
Herger
Issa
King (IA)
Kingston
Lamborn
Linder
Lummis
Mack
Manzullo
McClintock
Paul
Pence
Petri
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Walden
Westmoreland
Whitfield

NOT VOTING—5

Blackburn
Crowley
Kirk
McCarthy (NY)
Sestak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1610

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING NATIONAL DAIRY MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 507, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 507, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 428, nays 0, not voting 5, as follows:

[Roll No. 599]

YEAS—428

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

NOT VOTING—5

Blackburn
Crowley
Kirk
McCarthy (NY)
Sestak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1617

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to House Resolution 658, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo.

As soon as these preparations are complete, the House will immediately resume its actual session for the taking of the photograph.

About 5 minutes after that, the House will proceed with the business of the House.

For the information of the Members, when the Chair says the House will be in order, we are ready to take our picture. That will be in just a few minutes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 4 o'clock and 18 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 25 minutes p.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 111th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair in 2 or 3 minutes.

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at 4 o'clock and 29 minutes p.m.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. NUNES. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intention to raise a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, on May 25, 2007, U.S. District Court Judge Oliver W. Wanger issued a ruling that directed the Bureau of Reclamation to reduce water exports from the Sacramento-San Joaquin River Delta to protect a three-inch minnow called the Delta smelt;

Whereas, on December 15, 2008, the United States Fish and Wildlife Service, based on the Wanger Ruling, issued a Biological Opinion on the Delta smelt that permanently reduced water export from the Sacramento-San Joaquin River Delta which is traditionally delivered to cities and farms in the San Joaquin Valley and the Los Angeles and San Diego basins;

Whereas according to a University of California at Davis study, based on the water reductions outlined in the Delta smelt Biological Opinion, revenue losses in the San Joaquin Valley of California for 2009 will be $2.2 billion and job losses at 80,000;

Whereas according to the U.S. Bureau of Labor Statistics, the unemployment rate in the San Joaquin Valley has reached the highest level in the Nation;

Whereas region wide unemployment in the San Joaquin Valley of California is nearly 20 percent and some cities have an unemployment rate of 40 percent;

Whereas thousands of people who once relied on employment in the agricultural sector are now unemployed and struggling to meet their most basic needs, such as providing food for their families;

Whereas, on March, 1, 2009, the Sacramento Bee reported thousands of people have been turned away from local food banks as supplies are not ample enough to meet local needs;

Whereas, on April 14, 2009, the Fresno County, California, Board of Supervisors proclaimed that the man-made drought has created an economic crisis;

Whereas on June 4, 2009, despite the ongoing man-made drought in California, the National Marine Fisheries Service issued a new Biological Opinion on the spring-run Chinook salmon, Central Valley steelhead, the southern population of North American green sturgeon, and Southern Resident killer whales which further reduces water supplies to Californians;

Whereas, on June 19, 2009, California's Governor Arnold Schwarzenegger declared a state of emergency for Fresno County, California, and petitioned President Barack Obama to declare the county a Federal disaster area;

Whereas on June 28, 2009, the Secretary of the Interior Ken Salazar visited Fresno, California, and held a town hall meeting in which nearly 1,000 people attended to express their dissatisfaction with the lack of action by the Obama Administration;

Whereas, on July 6, 2009, the Los Angeles Times reported that during Interior Secretary Ken Salazar's town hall meeting on June 28, 2009, the Commissioner of the Bureau of Reclamation, Mike Connor, pledged to provide financial aid to starving families and an audience member replied ''we don't want welfare, we want water'';

Whereas, on June 29, 2009, CBS 5 Eyewitness News reported that hundreds of San Joaquin Valley farmers protested outside the Federal Building Plaza in San Francisco which houses Speaker Nancy Pelosi's district office;

Whereas, on June 29, 2009, CBS 5 Eyewitness News reported the protestors blamed Speaker Nancy Pelosi and Congressman George Miller for the water shortage in the San Joaquin Valley;

Whereas, on June 29, 2009, CBS 5 Eyewitness News reported that protestors were holding signs that said ''ESA Puts Fish Ahead of People'', ''Congress Created Drought'', and ''New Endangered Species: The California Farmer'';

Whereas, on July 1, 2009, the Fresno Bee reported that a crowd of 4,000 marched through the streets of Fresno, California, to demand that the Federal Government end the man-made drought;

Whereas, on June 18, 2009, the Democrat leadership held open Roll Call Vote 366 for the purpose of changing the outcome of the vote;

Whereas during this vote, House Democrat leadership was seen on the House floor pressuring Members of Congress to change their Aye vote to a Nay vote in order to defeat the Nunes Amendment which would have helped to relieve the water crisis in California;

Whereas, on July 8, 2009, during the mark-up on the Energy and Water Development and Related Agencies Appropriations Act, 2010, a debate was held on the Calvert Amendment which would have restored water deliveries to Californians;

Whereas during the mark-up, the Chairman of the Appropriations Committee, David Obey, said ''Recognize there are certain actions, that if you take, this bill won't pass, your earmarks in the bill won't become law'';

Whereas Chairman Obey violated Clause 16 of House Rule 23 by linking passage of the Calvert Amendment to loss of earmarks;

Whereas, on July 14, 2009, despite historical tradition of open rules during the appropriations process, the Rules Committee blocked an amendment to the Energy and Water Development and Related Agencies Appropriations Act, 2010 that would have restored water deliveries to Californians;

Whereas, for two years, the House of Representatives has known about the man-made drought in California without taking legislative action to resolve the crisis;

Whereas the lack of action by the House of Representatives has demonstrated that fish are more important than families;

Whereas article 1, section 8 of the United States Constitution enumerates that the Congress shall have the power to provide for the general welfare of the United States;

Whereas the House of Representatives has willfully and knowingly failed to provide for the general welfare of the San Joaquin Valley of California; and

Whereas the failure of the House of Representatives to carry out its duties has subjected the House to public ridicule and damaged the dignity and integrity of the House of Representatives: Now, therefore, be it

Resolved, That the Committee on Natural Resources is instructed to discharge H.R. 3105, the Turn on the Pumps Act of 2009, for immediate consideration by the House of Representatives.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from California will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 1630

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

EXTENDING DEADLINE FOR CONSTRUCTION OF PRICE DAM HYDROELECTRIC PROJECT

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2938) to extend the deadline for commencement of construction of a hydroelectric project.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2938

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

SECTION 1. EXTENSION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12187, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Louisiana (Mr. SCALISE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, H.R. 2938 would allow the Federal Energy Regulatory Commission to extend the construction deadline for a hydroelectric power plant at the Melvin Price Locks and Dam in Alton, Illinois. Over the past 20 years, there has been great interest in building a hydroelectric plant at this site on the Mississippi River; however, construction of the hydroelectric plant has not happened on this site as of this date.

Last October, Brookfield Power acquired the license to proceed with the construction of the site. When Brookfield applied for an extension of the construction deadline, the company was informed that because of the administrative extensions granted to the previous licensee, congressional action is needed to grant an extension.

Brookfield will lose this license at the end of this month, July 2009. For that reason, Brookfield and the City of Alton, Illinois, requested legislation to extend the deadline for 6 years.

Passing this legislation is necessary to ensure that Brookfield can bring renewable energy to Illinois and create green jobs. The hydroelectric project will create 404,000 megawatt hours of electricity, the equivalent of 283 barrels of oil. Further, Brookfield will hire 125 workers over a 3-year period and invest over $400 million to construct the plan.

This bill is cosponsored by my friend and colleague from Illinois, Congressman JOHN SHIMKUS. Both the majority and minority staff of the Energy and Commerce Committee have reviewed and accepted the legislation. FERC has also reviewed the legislation and does not oppose it.

Mr. Speaker, I urge my colleagues to support H.R. 2938.

I reserve the balance of my time.

Mr. SCALISE. Mr. Speaker, I rise in support of H.R. 2938, a bill that extends the timeline to bring this hydroelectric power plant project in Illinois on line. It gives them another up to 6 years, and ultimately, this would be the decision of the Federal Energy Regulatory Commission. But as they're going through the process right now of permitting and approval, this provides them an additional 6 years to make sure that the project has enough time to get approved and completed and bring this new power source on line.

I would like to yield 3 minutes to my friend from Oregon (Mr. WALDEN).

Mr. WALDEN. I thank my colleague from Louisiana.

Mr. Speaker, I rise today also in support of this legislation. I think it's a good bill because I think hydroelectric power is a good thing for our country, and when we're concerned about getting renewable energy online, there's probably nothing better than hydropower for that.

Unfortunately, in the cap-and-tax bill that was passed by this House over my objection and over the objection of the gentleman from Illinois, there is a provision on page 19, line 12, sub 3, that says, The hydroelectric project installed on the dam is operated so that the water surface elevation at any given location and time that would have occurred in the absence of the hydroelectric project is maintained.

Now, I share this language with you because the gentleman from Illinois, my friend, talked about the 404,000 watts or megawatts, whatever it is—I didn't jot down the exact amount—would be produced as hydroelectric power and, therefore, renewable energy and create new jobs. My concern is this: that hydropower is being added after this legislation is moving forward.

Should the cap-and-tax bill become law, that hydropower, according to this language, would not be considered as renewable energy for purposes of Illinois meeting the new Federal standard on renewable energy. Because in consultation with two civil engineers I've spoken with who operate hydro projects—many of them and large-scale hydro projects—when I shared this language with them about maintaining the surface elevation at any location in time, they laughed. They said you can't operate a hydro system and not affect the water behind the dam in some way at some point.

And so to disqualify the new hydro—like the gentleman from Illinois is trying to get here—makes no sense to me. Either hydropower is renewable or it's not.

Now, there is another provision in this bill, the cap-and-tax bill, that said hydro that came online after 1988 is renewable but hydro before 1988 is not. Now, you have got water flowing down a river. You've got multiple dams along the way with hydro generation facilities. It's the same water. It just depends on what year the dam was built whether or not that hydropower is considered renewable or not. That doesn't make a lot of sense.

Nor do the provisions in the cap-and-tax bill that said, if woody biomass off a Federal forest comes off of a late successional stand, you can't count the burning of that to produce green energy as renewable energy, but if it came off of a severely damaged tree, it is, although there is no definition for that. And if any woody biomass comes off private, county, State lands, it's all considered renewable energy when it produces electricity when it's burned, but yet there is this restriction on Federal land.

□ 1645

I share that with you because America's Federal forests are terrifically overstocked and subject to catastrophic fire.

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

Mr. SCALISE. I yield the gentleman 1 additional minute.

Mr. WALDEN. We could create more real jobs cleaning up the forest in very depressed communities. I was just out in four counties in my district. I think two, maybe three, are now at over 20 percent unemployment. They have 70, 50 and 80 percent Federal land. This is the great forests of our country that are left to burn up. The woody biomass could be put into clean energy. There are firms willing to invest if they could get supply. Again, the cap-and-trade, cap-and-tax bill harms that effort.

So I share the gentleman's support of this legislation to create and move forward on the hydro project. It's unfortunate if the cap-and-tax bill that passed the House becomes law that hydro will not be considered renewal. That doesn't make sense. And I hope that the Senate can correct this problem.

Mr. COSTELLO. Mr. Speaker, let me thank my colleague for supporting this legislation. I share the same concern that you have with the section that you quoted in the energy bill, and we hope that our friends in the other body

will address that issue so that it is not a concern for the future.

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

Mr. SCALISE. I would like to yield 3 minutes to a cosponsor of this bill, the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Melvin Price Locks and Dam is named after an historic member of this Chamber, Mel Price, who gave me my nomination to West Point. So it is with great affinity that I just mentioned that. But now that district is ably represented by my friend and colleague, JERRY COSTELLO, and I thank him for including me on this reauthorization bill.

The Republicans have already talked about an all-of-the-above energy strategy which talks about nuclear, wind, solar and hydroelectric. And no one is really more knowledgeable on the hydroelectric issue than the colleague who preceded me, GREG WALDEN. There is a concern about if we want these programs, these licenses, to actually become real projects in the whole credit issue, then this has to qualify for renewable, and that will help bring some dollars to help effect this instead of just worrying about relicensing, then we can actually get it built. But if we don't do this process, then we have to go through the whole paperwork procedure.

I'm very happy to be here with my friend who, again, worked hard and diligently for southern Illinois. And this is all part of that all-of-the-above energy strategy that will help us decrease our reliance on imported crude oil. Thank you for letting me join you in this resolution.

Mr. COSTELLO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCALISE. Mr. Speaker, I would yield 3 minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I rise really in amazement today to hear our colleagues on the other side talk about hydroelectric power being a renewable energy source, because we have seen multiple venues here in the House where Democrats have denied that.

Mr. Speaker, we have a tremendous need in this country for alternative sources of energy, renewable sources of energy. Nuclear energy is one of those renewable sources of energy, or a source of energy that is one that makes the most sense from an environmental perspective as well as a cost perspective.

We have many members of the opposition on the other side that want to deny us going into a nuclear age. France gets over 80 percent of its electric power from nuclear sources. The United States should do the same thing. In my home State of Georgia, the Georgia Power Company for a long period of time now has been trying to get permitting for two new nuclear reactors at their plant in Vogel just south of my district, just south of Augusta, Georgia. They already have two. They want two more. But, Mr. Speaker, they have had a great deal of difficulty because the regulatory commission and various environmental groups have made it extremely difficult.

They are not alone. All over this country, there are electric power companies that want to put in electric power plants that are nuclear-fueled. Mr. Speaker, they have great difficulty doing so. We need to use our renewable resources, not only for hydroelectric power, but for nuclear power. We need to look to wind and solar. We need to look to biomass. We need to stop this idiocy of a corn-based ethanol source of energy. Mr. Speaker, I'm from Georgia, and I love my cornbread and grits. It makes no sense to me to drive down the road burning up my food. But we've done that. And it has driven up the cost of corn for the chicken producers that produce most of the chicken for the world, all over the world in my district, and in my friend NATHAN DEAL'S district from Gainesville in the Ninth and Tenth Congressional Districts of Georgia.

Mr. Speaker, we have an energy policy that is broken. Republicans have presented bill after bill that would solve the energy crisis. The American Energy Act is one. It is an all-of-the-above energy plan that would stimulate hydroelectric power. It would stimulate nuclear power. It would look to alternative sources of power.

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

Mr. SCALISE. I yield the gentleman 1 additional minute.

Mr. BROUN of Georgia. But our plans are not being heard on the floor of this House. Why is that? Why are the American people's representatives not being heard?

It is because the leadership on the Democratic side wants to stifle debate, wants to shut off any alternative ideas. They call the Republican Party the ''Party of No,'' but the Democratic Party has been the Party of No, whereas the Republican Party is the Party of k-n-o-w Know because we know how to solve the energy crisis. We know how to solve the health care financing crisis. We know how to solve the economic crisis. But those ideas are not being heard. Mr. Speaker, it is time for the American people to wake up and demand that the Republicans are heard.

Mr. COSTELLO. Mr. Speaker, I would ask my friend from Louisiana if he has other speakers?

Mr. SCALISE. I'm prepared to close.

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

Mr. SCALISE. Mr. Speaker, I again rise in support of the legislation dealing with hydroelectric power. I think it is important, as we are talking about energy, that we really talk about the need to get a comprehensive national energy policy in our country. It is not just enough to promote hydroelectric power. It is not just enough to look at any one significant source of power. We need to look at all of the resources in our land. In fact, the inscription by Daniel Webster right above the Speaker's rostrum talks about the need to explore the resources of our land. Unfortunately, there are many Federal laws and barriers in place that prevent us from doing just that. This cap-and-trade national energy tax imposes even more barriers. In addition to imposing significant taxes on to the backs of American people in the form of higher utility rates and bureaucratic regulations, it will run millions of jobs out of this country.

That's not the right approach. What we need is a comprehensive energy policy. I'm proud to be a cosponsor, with many other of my colleagues, of the American Energy Act, a bill that we filed earlier this year to take that comprehensive approach to a national energy policy, one that looks at all of the alternatives. We explore more technologies for wind, for solar, for hydroelectric and for nuclear power. We use our natural resources, like oil and natural gas, to get to that bridge to fund those other alternatives. We use the things that we have here today to get us to those technologies that aren't yet readily available to power our homes or to run our cars. But hopefully one day, through the use of these technologies, we will advance the utilization of the natural resources we have in our country to create jobs.

Our bill would actually create jobs and generate billions of dollars to the Federal Government, not by raising taxes, but by actually creating more economic opportunities by creating jobs and getting people back to work so that they can contribute and pay into and pay down this debt as opposed to raising the debt and running off jobs.

So I would hope that we would support and get to a place where we can actually get agreement in a bipartisan way to pass a bipartisan bill like the American Energy Act that actually takes a comprehensive approach to solving our national energy needs and reducing our dependence on Middle Eastern oil—rather than this tax approach, this cap-and-trade energy tax that actually would make countries in Europe, the Middle East and China more powerful and put America further at risk—so we can get our strengthened energy policy and we can get energy independence. But we need to have a bipartisan approach, not this cap-and-trade energy tax that literally would run millions of jobs out of our country.

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

Mr. COSTELLO. Mr. Speaker, let me thank my friend from Louisiana and the minority for supporting this legislation. In particular I would like to thank my colleague from Illinois, Congressman SHIMKUS, not only for his

kind words, but for cosponsoring this legislation.

I urge passage of H.R. 2938, and with that I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 2938.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECOGNIZING LATINO DIABETES AWARENESS MONTH

Mr. BACA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 69) recognizing the need to continue research into the causes, treatment, education, and an eventual cure for diabetes, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 69

Whereas diabetes mellitus is a chronic disease caused by the inability of the pancreas to produce insulin or to use the insulin produced in the proper way;

Whereas in the case of Type I diabetes or insulin-dependent diabetes, formerly called juvenile-onset diabetes because it tends to affect persons before the age of 20, the pancreas makes almost no insulin;

Whereas in the case of Type II diabetes or non-insulin-dependent diabetes, which comprises about 90 percent of all cases of diabetes, the pancreas produces a reduced amount of insulin or the cells do not respond to the insulin;

Whereas this year 23.6 million Americans suffer from one form or another of this disease, and 5.7 million people go undiagnosed, commonly known as pre-diabetes;

Whereas 2.0 million or 8.2 percent of all Latino Americans aged twenty years or older have diabetes, and Latino Americans are 1.5 times more likely to have diabetes than non-Latino whites of similar age;

Whereas Mexican-Americans, the largest Latino subgroup in the United States, are more than twice as likely to have diabetes as non-Latino whites of similar age;

Whereas residents of Puerto Rico are 1.8 times more likely to have diagnosed diabetes than United States non-Latino whites;

Whereas diabetes affects individuals in different ways, and as a result, treatment programs will vary;

Whereas diabetes in the Latino community can result in a high prevalence of complications, such as foot problems and amputations, kidney failure that may lead to chronic or end stage renal disease, blindness, numbness and loss of sensation in the legs, heart attacks and strokes, and eventually death;

Whereas individuals suffering from diabetes can reduce their risk for complications if they are educated about their disease; learn and practice the skills necessary to better control their blood glucose, blood pressure, and cholesterol levels; exercise; and receive regular checkups;

Whereas targeted health communications to the public are vital in disseminating information about diabetes and the need to live a healthy lifestyle;

Whereas the Latino Diabetes Association, a nonprofit organization devoted to aggressive diabetes education, has worked tirelessly to raise funds for diabetes education and to find the causes of and cure for diabetes; and

Whereas the month of July of 2009 would be an appropriate month to recognize Latino Diabetes Awareness Month in order to educate Latino communities across the Nation about diabetes and the need for research funding, accurate diagnosis, and effective treatments: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the need to continue research into the causes, treatment, education, and an eventual cure for diabetes;

(2) commends those hospitals, community clinics, educational institutes, and other organizations that are—

(A) working to increase awareness of diabetes; and

(B) conducting research for methods to help patients and families in the Latino community suffering from diabetes;

(3) congratulates the work of the Latino Diabetes Association for its great efforts to educate, support, and provide hope for individuals and their families who suffer from diabetes;

(4) supports the designation of an appropriate month to recognize ''Latino Diabetes Awareness Month''; and

(5) calls upon the people of the United States to observe the month with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BACA) and the gentleman from Louisiana (Mr. SCALISE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BACA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

First, I would like to thank Majority Leader HOYER, Chairman WAXMAN, Ranking Member BARTON and Health Subcommittee Chair PALLONE and, of course, my colleague from Louisiana, a good baseball player, for their support of this resolution. I also want to take the time to thank all my colleagues in the House of Representatives for their bipartisan support of this resolution.

I rise today in strong support of House Resolution 69, the Latino Diabetes Awareness Resolution. The resolution recognizes the need to continue research into the causes, treatment, education and an eventual cure for diabetes and commends those organizations that are working to increase awareness of diabetes and conducting research for methods to help patients and families in Latino communities suffering from diabetes.

It also congratulates the work of the Latino Diabetes Association for its great efforts to educate, support and provide hope for individuals and families who suffer from diabetes. The resolution also supports the designation of July 2009 as ''Latino Diabetes Awareness Month.'' It calls upon the people of the United States to observe the month with appropriate programs and activities.

It is critical for the long-term sustainability of any health care reform plan to make sure that steps for the prevention of diseases, like diabetes, are encouraged by Congress. This prevention of disease would do a great deal in helping keep costs down for current patients, as well as favorably changing the attitudes and behavior of diabetes patients and their families, thereby improving their quality of life.

We can take a good first step in achieving these goals by passing this resolution here today. Diabetes is a chronic disease of the pancreas and adversely affects its ability to produce and use insulin in the proper way.

Diabetes has no cure, treatment varies from patient to patient, and it is quite often very painful. Some side effects of treatment include weight gain, skin rash or itching, various stomach problems, tiredness and dizziness, and swelling in the leg and ankle.

The impact of diabetes is not focused solely on the patient; family members and immediate care takers also suffer greatly from the effects of diabetes on their loved ones. I say this from personal experience.

In the Latino community, diabetes can result in high prevalence of foot problems, kidney failure, renal disease, blindness, heart attacks, strokes and eventually death.

□ 1700

What's scariest is that diabetes patients who need to take one or more insulin shots daily, and for whatever reason do not, greatly increase their risk of stroke and heart attack.

One of the reasons I believe diabetes disproportionately affects the Latino community is the lack of sound health communication that speaks to those Hispanics who are most at risk of coming down with diabetes, or who already suffer from it. This means targeting communications efforts to both English- and Spanish-speaking communities and specifically referencing these efforts towards the area of our culture that puts us at risk the most: our diets.

Over 23.6 million Americans suffer from diabetes, and of these, 2 million are Latinos or of Latino descent; 8.6 of all Latinos over the age of 20 live with this disease. However, Latinos are almost twice as likely to have diabetes as non-Latino whites of similar age.

Individuals suffering from diabetes can reduce their risk for complications if they are educated about their disease and take the proper steps to care for themselves. This means learning and practicing the skills necessary to better control their blood glucose, blood pressure and cholesterol levels. They must exercise and receive regular checkups, as well as maintain a healthy, balanced diet, as well as maintaining willingness to change these dangerous eating habits.

And that becomes very difficult for a lot of us because we like our frijoles, our tortillas, our tamales, our enchiladas, our menudo; but we have to put that aside. This could include eating meals prepared healthier, eating more moderate portions, or a combination of these.

Two people ought to be commended for their hard work in the attempts to educate the public about diabetes and treatments for patients, and that's actors Rita Torres and Edward Olmos. A few years ago, I worked with Rita Torres and Edward to help put together a short documentary highlighting the day-to-day lives of different diabetes patients, regardless of age or ethnicity, and they ought to be recognized for their tireless efforts to raise diabetes awareness.

I have been affected personally by diabetes through the loss of five members of my immediate family. My father was a proud, hardworking man, never missed a day of work for any reason until he was struck down by diabetes and ultimately needed to have a leg amputated. It originally started with a toe, half a leg, and then the leg itself.

My mother also was very strong, was never sick until she, too, came down with diabetes.

My two brothers, Abelio and Tanny, and my sister Annie fought with diabetes but ultimately lost their battle largely due to lack of education and awareness of how the disease would affect their lives and not willing to change their eating habits.

Tanny recently passed away due in part to the fact that he could no longer afford all the necessary treatment to keep his diabetes at bay. He is not only a victim of diabetes but of the high cost of health care as well.

My brother-in-law, Ted Dominguez, was also a victim of diabetes. Ted was a great athlete back in his day, always in great physical shape. His lesson to us is that anyone, regardless of age, weight or physical condition, can get diabetes. He eventually went through dialysis and ultimately ended up losing his life.

Also, a former staff member of mine who has been a close friend for many years, Daniel Hernandez, is a testament to us and to many other folks. He worked for me because he needed coverage for diabetes. He left my office after 2 years and became an independent consultant. He came back, however, and approached me one day and told me that the only reason he was willing to come back to work was to qualify for health care benefits that he would not be able to receive otherwise.

It was their fight and their example that opened my eyes to the horrid realities and difficulties of this disease and the need for education and awareness about diabetes and ultimately to introduce this resolution.

However, a great diabetes success story and a perfect example to prove that diabetes can be beat is Supreme Court nominee, Judge Sonia Sotomayor. Judge Sotomayor was diagnosed and has lived with type 1 diabetes since the age of 8 years of age. Due to carefully monitoring her condition, she fought the disease head-on and continues to be a great example of someone who can live with diabetes. She will soon not only be the first Latina to become a Justice on the Supreme Court, but also the first Latina with type 1 diabetes.

Another example of a remarkable type 1 diabetes patient is Sara Rodriguez. Sara is a constituent of mine, a rising junior at Rancho Cucamonga High School, a straight A student, and letter winner in basketball, volleyball, and track. In order for Sara to lead as normal a teenage life as possible, she must test her blood sugar levels eight to 20 times per day, every day. She will never outgrow her disease and will require care and medication for the rest of her life. She is a very brave and courageous young woman whose fight and determination should not only be an example to diabetes patients everywhere, but to anyone facing adversity.

On behalf of all of the other young people like Sara Rodriguez, Congress recently reauthorized the special diabetes program. This is a wonderful example of the government's commitment to cure diabetes for people like Sara and the millions of others who live with the disease and its complications. This program funds $150 million a year in type 1 diabetes research and is aligned with the goals of this resolution to keep us on the path towards a cure for diabetes.

Yet another great example of a person living a healthy life with diabetes is Roque Martin, the grandfather of Matt Gomez, one of my interns, who has been instrumental in assisting with this resolution. Roque was diagnosed with diabetes over 25 years ago and continues to live a healthy life even at the age of 78. He eats rights and checks his blood sugar level three times a day and is a great example, along with Sara and Judge Sotomayor, for all diabetes patients that with proper care, diet and exercise, one can survive with diabetes.

That is why it's so important to pass this resolution, which I introduced in the hopes of bringing awareness to those lucky enough to not have to face the disease firsthand, or through the fight of a loved one.

It takes a small, but a critical, first step to help raise awareness about diabetes for not only the Latino community, but for all Americans and all individuals impacted with diabetes.

But, also, it's a giant step for those individuals that have suffered from diabetes for many years and lack the ability to tell their stories firsthand, along with families and immediate caretakers of diabetes patients, who oftentimes suffer the impacts of the disease more so than the patient themselves.

Diabetes is a disease that can, and does, affect anyone: Democrats, Republicans, black or white, Latinos, Asians, American Indians, all nationalities. The alarming statistics regarding diabetes are on the rise. With the greater scope of the health care debate, there is no better time to raise the awareness for a preventable disease than right now. And there is no better time than right now to stress that no diabetes patient should be denied health care coverage because of their preexisting condition.

For these reasons, I ask you to stand with me and fight against diabetes and pass this resolution.

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

Mr. SCALISE. Mr. Speaker, I rise in support of H. Res. 69.

I want to congratulate the gentleman from California on his leadership on this bill, building a bipartisan coalition to bring it to the floor under suspension. I want to recognize the 23.6 million Americans that suffer from diabetes. Diabetes can lead to serious complications and premature death, but people with diabetes can take steps to control the disease and lower the risk of complications.

The Centers for Disease Control has stated that progression to diabetes among those with pre-diabetes is not inevitable and that studies have shown that people with pre-diabetes who lose weight and increase their physical activity can prevent or delay diabetes and return their blood glucose levels to normal. Through regular exercise and a steady diet, Americans can get to a healthier state of living and avoid diabetes, and that's what we're trying to raise awareness about.

I reserve the balance of my time.

Mr. BACA. Mr. Speaker, I yield 2 minutes to my good friend from Houston, Texas (Mr. GENE GREEN), also an outstanding basketball player.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of H. Res. 69, which recognizes the increased rates of diabetes in the Hispanic community and calls for increased research to combat and prevent the high rates of diabetes in Hispanics.

And I want to thank my good friend JOE BACA for sponsoring this resolution and also for the compliment. I think you're the first person in history who ever said I was a good basketball player. Thank you, JOE.

According to the Office of Minority Health, Mexican Americans are twice as likely as non-Hispanic whites to be

diagnosed with diabetes by a physician. They have higher rates of end-stage renal disease caused by diabetes, and they are 50 percent more likely to die from diabetes than non-Hispanic whites.

Mexican American adults are two times more likely than non-Hispanic white adults to have been diagnosed with diabetes by a physician. In 2002, Hispanics were 1.5 times as likely to start treatment for end-stage renal disease related to diabetes, compared to non-Hispanic white men. In 2005, Hispanics were 1.6 times as likely as non-Hispanic whites to die from diabetes.

In our district, it is predominantly Hispanic. We have a large number of individuals with type 2 diabetes, which is often referred to as late-onset diabetes. Because of this, many individuals in our district have diabetes-related complications, including illnesses such as foot problems and amputations, kidney failure that may lead to chronic or end-stage renal disease, blindness, numbness and loss of sensation in the legs, and heart attacks and strokes.

However, type 2 diabetes is preventable with a good diet and exercise. It is important we have targeted educational campaigns in the Hispanic community to help combat the diabetes epidemic.

I would like to commend the Latino Diabetes Association and other diabetes research groups for their work in educating the Hispanic community on diabetes-related issues. Groups like these are crucial to the reduction of diabetes in the Hispanic community.

I would also like to extend my support towards designating July 2009 as Latino Diabetes Awareness Month to help raise awareness of the high rate of diabetes in Hispanics.

Through education and prevention and wellness programs we can drastically reduce the number of Hispanic individuals with diabetes.

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

Mr. BACA. I yield the gentleman 30 additional seconds.

Mr. GENE GREEN of Texas. This is probably the most important part, Mr. Speaker.

That is why this Congress needs to pass comprehensive health care reform that covers everyone so we can deal with the diabetes epidemic in our Hispanic community, our African American community and also in our low-economic community, because we can deal with this if we push the envelope back to deal with it before it gets to be where people start losing their legs.

Mr. SCALISE. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I'm a medical doctor. I've treated diabetes for 3½ or more decades. I congratulate my good friend JOE BACA for bringing this issue to the forefront because it is extremely important for all Americans, not just only the Latino community that he's focusing on here. I've seen many patients in my overall medical career that are Latino, as well as blacks and Caucasian and people from all ethnic groups. It affects everybody no matter who their forefathers, what their skin color is, and I congratulate Mr. BACA for bringing this forward.

God tells us in Hosea 4:6, My people are destroyed for lack of knowledge. And as a medical doctor, I've tried to instill knowledge into my patients over the years, and this, of course, is what this resolution is all about, and I do congratulate the gentleman for bringing it forward because we do have a problem with people being knowledgeable about diabetes and the effect that it has upon them, their families, their longevity.

Diabetes is the leading cause of blindness in the adult population. It leads to many health problems. It leads to heart attacks and strokes. It leads to peripheral vascular disease.

As I sat here listening to Mr. BACA, I recalled an elderly black gentleman who came to see me as a patient that I diagnosed as having diabetes, and I started talking to him about diet and exercise and those types of things. Well, he didn't take care of himself, in spite of all my warnings and all of the consequences that he was headed towards. He wound up having a foot cut off, and he had that leg cut off. I kept talking to him. His blood sugar was continuing to be extremely high. Wound up having a second leg cut off, and eventually he had both arms and both legs removed, and he was sitting in a wheelchair when he finally got the message and started controlling his diet, taking his medications as prescribed, and we finally got his blood sugar in good control.

That's a sad story. I've seen many, many patients over the years that have developed renal failure, which is what diabetes leads to. It leads to the nerves in people's legs dying so that they have no feeling in their legs so they can get cuts or even the simplest little puncture or a cut on their foot may lead to gangrene that leads to amputation, maybe even lead to what we call in medicine septicemia, which is where you have bacteria in your bloodstream, and it can go to your heart and it can affect the valves in your heart. Septicemia itself can lead to death, by itself.

Diabetes afflicts many of our population, and it's sad that people don't have the knowledge of what that disease will lead to.

□ 1715

That's why I congratulate Mr. BACA for bringing this forward, and I do support this legislation.

Mr. Speaker, when I was practicing medicine in rural south Georgia, I had a small automated lab in my office down there, and Congress passed a bill called the Clinical Laboratory Improvement Act. My lab was totally automated. I had quality control to make sure that the results were absolutely accurate so that when I checked a patient's blood sugar, I would know what it was to know if they had the potential for prediabetes or whether they had frank diabetes. I would do a fasting blood sugar that would help me diagnosis their condition.

Well, Congress passed CLIA, the Clinical Laboratory Improvement Act, that closed my lab and every single doctor's lab in this country. Closed our labs. Eventually, I got my lab back up after I jumped through the hoops that were required by the legislation, by the regulatory burden placed on me and all doctors in this country.

Prior to CLIA, a patient would come in and I would take a history and physical and would suspect that they may have diabetes. Some patients would get a family history of diabetes, and so I would do a screening test of a fasting blood sugar.

I charged $10 for that test, Mr. Speaker. After CLIA shut me down, I had to send patients over to the hospital. The hospital was charging $35 for the same test. Once CLIA came along, it actually increased, and I got my lab opened back up, I had to charge $35, but the hospital, I think, went to $75 for the very same test.

The point I want to make here is this regulatory burden on the health care industry markedly raised the price for that one test. What we see across the health care industry when government gets involved in health care decisions, such as it did with CLIA, it drives up the cost for all of us.

As a physician who used to be a preferred provider for Medicare patients—I'm not now, for many reasons—but as a preferred provider, I could not see many patients, as I did previously, for free. Many, many patients, poor patients, people that had no insurance would come into my office, and I would see them for free. I have literally given away hundreds of thousands of dollars of free health care provision in my office; give free tests, free screening for diabetes, for many conditions. But under current Federal law, physicians who accept Medicare cannot do that. That makes no sense, Mr. Speaker.

It is so today because of Federal regulation. Congress passed HIPPA, the Health Insurance Portability and Privacy Act. That has cost the health care industry billions of dollars and has not paid for the first aspirin to treat the headaches that it's created. And it was totally unneeded.

Mr. Speaker, the point I'm trying to make is the American people need to know that the more the Federal Government gets into the health care business, the more regulatory burden is placed on physicians and hospitals, the higher the cost goes.

In the non-stimulus bill we put a chunk of money, a huge chunk of money, for something called comparative effectiveness research. What I'd like my colleagues and the American

people to know, Mr. Speaker, is that this is a process put into place by the Democratic majority.

This could have prevented those 78-year-old people that my friend Mr. BACA talked about from getting the care that they need because it is going to be deemed, as some Federal bureaucrat says, it's not effective comparatively to provide the dialysis for that 78-year-old that Mr. BACA was talking about. It's not going to be effective to try to prevent the blindness. It's not going to be effective to provide care to people who now are getting care. And we're going to have a tremendous denial or delay of services.

I have said on this floor in Special Orders that this comprehensive health care bill that's being debated right now in committees and is going to be presented on this floor eventually—the Speaker wants to have it come up before we leave for the August recess—it's literally going to kill people.

Now I have been chastised in the liberal media for making that claim, but it's going to kill people for this simple reason, Mr. Speaker. And the American people need to understand this. People are going to be denied services. They're going to have a marked delay in their being able to get the screening tests that they need for colon cancer or for evaluation of their chest pain or they're going to have a marked delay, as we see in Canada and Great Britain today, of being able to get their bypass surgery.

So diabetic patients who have developed coronary artery disease and have angina pectoris and maybe even had a heart attack are going to have marked delay in being able to get the stints put in or their bypass surgery that they desperately need, and people are going to die.

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

Mr. SCALISE. I yield 2 additional minutes to the gentleman from Georgia.

Mr. BROUN of Georgia. I have seen patients over and over again with these consequences of diabetes.

Mr. Speaker, I've given away hundreds of thousands of dollars of my services over my career. I want people to have access to health care—but they do today. EMTALA requires every emergency room in this country to evaluate and treat everybody who walks in. So the question of access is not a true question to debate today.

We hear about 47 million people. The numbers keep growing by the Democratic side. The American people need to understand that a lot of those people are illegal aliens who have come here illegally. I understand why. They come here for work, for their families. And I feel for them. But they have still broken the law.

American citizens are going to be denied treatment, denied x-rays, denied their coronary bypass surgery, denied their dialysis, and all these things because of this comprehensive health care plan that's being shoved down the throat of the American people. This is not the proper way of doing it.

CBO just last week said it's not going to lower the cost of health care. CBO just last week said it's not going to put people in the insured category. CBO last week said it's going to cost at least 750,000 jobs in America.

The more government gets involved in the health care business, the higher the cost goes, the less efficient it is, and the Democratic plan is going to destroy the quality of health care.

The American people, Mr. Speaker, need to stand up and say ''no,'' and say ''yes'' to a health care plan that makes sense, that lowers the cost of care for all Americans.

Mr. BACA. First of all, I appreciate some of the comments that my colleague, the doctor from Georgia, ended up making. And it is about knowledge, education, and awareness, and it's about preventive, because preventive is really the key to saving money. Once you do the early detection, early prevention, then we could save a lot of lives on account of treatment, because in his statement he indicated many of the people that he treated—those are people that I recognize in terms of my own personal family that lack that kind of knowledge, that kind of awareness, and did not follow the doctor's orders in terms of what they should have been doing to preserve their life. That's why it's very important that we create this kind of legislation to recognize diabetes awareness for all America, because it impacts all of us.

With that, I reserve the balance of my time.

Mr. SCALISE. It's important that we continue working to find the causes and the treatments, education, and make sure that we are researching properly to find cures for diseases like diabetes.

The broader question of health care reform—I think my friend from Georgia did a really good job of talking about the challenges and the concerns that so many over on this side have of this proposal that's before us. Not here in this bill, but being debated here in this Congress in these coming weeks, this week, last week, this proposal to have a government takeover of our health care system.

I think it shows that while there are definitely ways to approach this in a bipartisan fashion, where there are many areas of health care reform that many of us agree need to be made to improve outcomes, to improve access, to focus on that narrow group of people who don't have access to care.

I think the real danger is going down the road of a government takeover where government literally is interfering in the relationship between a doctor and their patient, as this bill would do, the bill that's been filed by the administration, by some of the members of this Democratic leadership.

I think there's real problems, and we can only look at the neighbors that have gone down the same road. Look at Canada. Canada has a government-run health care system. Many people with the means from Canada come to America to get good care. The same thing in England.

There was a tragic story in England, which has a government-run system. Just yesterday, there was a young man, a 22-year-old, who died because he was not allowed to get a liver transplant. ''He did not qualify for a donor liver under strict NHS rules.'' His own mother said, ''These rules are really unfair.''

They have a government-run system that's very similar to the proposal that's being pushed by the President to have this government takeover of health care.

We actually had an amendment in committee last night in the Energy and Commerce Committee that would have prohibited a government-run system from having a bureaucrat interfere in the relationship between a patient and their doctor. Unfortunately, our amendment was defeated.

So clearly it shows that a government-run system would allow a doctor-patient relationship to be interfered with by a government bureaucrat here in Washington. That's not health care reform. That's rationing of health care.

So we need to, hopefully, go back to the table and have a true bipartisan debate because there are many proposals that are on the table, bills that have been filed—I'm cosponsor of a number of them that actually address some of the problems that exist in health care—to allow companies to pool together so they can get the same buying power as a small business, as a large business does; to allow individuals to buy insurance across State lines so they don't have to rely on their employer if they don't like their employer's plan; and then also open up and address those areas of waste, fraud, and abuse that exist. That's what we're concerned about.

I do think it's very important that we raise awareness and education for diseases like diabetes. And I do want again to thank the gentleman with the ''good arm'' from California for his leadership on this issue because he has, I think, taken this issue and approached it in a good bipartisan way. Hopefully, we can do the same with the broader area of health care reform.

I yield back the balance of my time.

Mr. BACA. Mr. Speaker, again, I want to thank both sides for bipartisan support on this resolution. I look forward to the strong support.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and agree to the resolution, H. Res. 69.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1730

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 270, by the yeas and nays;

Senate Concurrent Resolution 30, by the yeas and nays;

House Concurrent Resolution 123, by the yeas and nays;

H.R. 1933, by the yeas and nays;

H.R. 2632, by the yeas and nays.

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

RECOGNIZING ESTABLISHMENT OF HUNTERS FOR THE HUNGRY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 270, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 270.

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 14, as follows:

[Roll No. 600]

YEAS—418

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

NAYS—1

Moran (VA)

NOT VOTING—14

Bean
Burton (IN)
Deal (GA)
Gohmert
Johnson (GA)
Kirk
Linder
Marchant
McCarthy (NY)
Sestak
Simpson
Smith (NJ)
Sutton
Wexler

□ 1757

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING BUREAU OF LABOR STATISTICS

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). The unfinished business is the vote on the motion to suspend the rules and concur in the concurrent resolution, S. Con. Res. 30, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 30.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 10, as follows:

[Roll No. 601]

YEAS—421

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)

Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—2

Paul
Young (AK)

NOT VOTING—10

Burton (IN)
Gohmert
Kirk
McCarthy (NY)
McMorris Rodgers
Scalise
Sestak
Simpson
Smith (NJ)
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes left in the vote.

□ 1803

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING CONTRIBUTIONS OF JOHN WILLIAM HEISMAN TO FOOTBALL

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 123, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 123.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

[Roll No. 602]

YEAS—423

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

Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Cooper
Gohmert
Kirk
McCarthy (NY)
Obey
Ryan (WI)
Schakowsky
Sestak
Simpson
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1810

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

PERSONAL EXPLANATION

Mr. KIRK. Madam Speaker, on roll-call Nos. 596, 597, 598, 599, 600, 601 and 602 I was unavoidably detained. Had I been present, I would have voted ''yea.''

A CHILD IS MISSING ALERT AND RECOVERY CENTER ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1933, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 1933.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 5, not voting 11, as follows:

[Roll No. 603]

YEAS—417

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

NAYS—5

Broun (GA)
Flake
Paul
Rohrabacher
Shadegg

NOT VOTING—11

Cooper
Gohmert
McCarthy (NY)
Radanovich
Rangel
Ryan (WI)
Sestak
Simpson
Slaughter
Speier
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1816

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

KOREAN WAR VETERANS RECOGNITION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2632, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 2632.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 12, as follows:

[Roll No. 604]

YEAS—421

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter

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

NOT VOTING—12

Bilbray
Cooper
Ellison
Lewis (CA)
McCarthy (NY)
Paul
Radanovich
Ryan (WI)
Sestak
Simpson
Sires
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes left in the vote.

□ 1823

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RYAN of Wisconsin. Mr. Speaker, on rollcall No. 602, 603, and 604, I was unavoidably detained. Had I been present, I would have voted ''yea'' on all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

LIM POON LEE POST OFFICE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3119) to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3119

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

SECTION 1. LIM POON LEE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, shall be known and designated as the ''Lim Poon Lee Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Lim Poon Lee Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present H.R. 3119 for consideration. This legislation will designate the United States postal facility located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office.''

Introduced by the Speaker of the House, Ms. PELOSI of California, on July 7, 2009, and reported out of the Oversight Committee on July 10, 2009, by unanimous consent, H.R. 3119 enjoys the strong support of the entire California House delegation.

Born in Hong Kong in 1911, Lim Poon Lee and his family immigrated to San Francisco, California, when he was only 8 months old. Following his distinguished service as a United States Army counterintelligence specialist during World War II, Mr. Lee received his undergraduate education at the College of the Pacific and his Juris Doctor at the Lincoln University School of Law.

Mr. Lee would then go on to serve his beloved San Francisco community through his longtime service as a social worker, juvenile probation officer, and as a writer for the monthly Chinatown news magazine, Chinese Digest.

In 1966, Mr. Lee achieved further distinction when he was selected by President Lyndon Baines Johnson for appointment as the postmaster of San Francisco. Notably, Mr. Lee's appointment at the time was the highest Federal appointive post ever held by a Chinese American.

Mr. Lee's subsequent 14-year tenure as the postmaster of San Francisco was marked by his dedicated and successful effort to increase the hiring of minority and disabled persons, as well as the inauguration of an alcohol recovery program for post office employees.

During his later years, Mr. Lee continued his admirable commitment to public service through his service as a Methodist chaplain and his membership on the boards of several community organizations, including the Chinatown YMCA, the Chinese American Civil Council, and the Chinatown

Community Service Organization. Additionally, Mr. Lee was well known in San Francisco as the master of ceremonies for the city's annual Chinese New Year parade for several years.

Regrettably, Mr. Lee passed away in 2002 at the age of 91. Madam Speaker, let us honor this dedicated public servant and distinguished Chinese American and postal employee through the passage of this legislation to name the San Francisco Chinatown Post Office in his honor, and I urge my colleagues to join me in supporting H.R. 3119.

I reserve the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I yield myself as much time as I may consume.

I rise today in support of H.R. 3119 to designate the facility at the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office.''

Born in 1911 in Hong Kong, Lim Poon Lee moved to San Francisco with his family when he was just 8 months old. The son of a laundry operator, Mr. Lee went on to college, graduate school, and law school after serving as a U.S. Army counterintelligence specialist during World War II.

He often told stories about serving in Japan and how he was the only U.S. Army representative there who spoke Japanese, Chinese, and English. His multilingual mediation skills helped to quell a riot between Chinese POWs and their Japanese captors when news of the Japanese surrender came through.

After serving in World War II, he continued mediating and became a social worker and juvenile probation officer.

□ 1830

Mr. Lee was also very much a community activist and worked with the Chinese community, World War II veterans and the Democratic Party. In addition to working as a campaign organizer for many local Democrats, Mr. Lee was also a founding member of the Chinese American Democratic Club, an organization that played a key role in securing rights for Chinese Americans.

For his tireless efforts in the San Francisco community, in 1966, Mr. Lee was appointed Postmaster of San Francisco. At the time, it was the highest Federal appointive post ever held by a Chinese American.

Though Mr. Lee once said his only experience with the U.S. Postal System was ''walking up to the window and putting down a nickel for a 4-cent stamp,'' Mr. Lee mastered the nuances of his new position.

During his 14-year tenure, Mr. Lee greatly increased the hiring of minority and disabled persons and even started an alcoholic recovery program. Best said by retired California State senator John Burton, ''By the time Lim finished with it, it looked like the face of San Francisco, with Asian, African American, Latino and female workers.'' Perhaps most notable was Mr. Lee's establishment of the post office at 867 Stockton Street in the heart of Chinatown in 1977. Recently, this post office celebrated its 30th anniversary, and fittingly, recognized Mr. Lee for his significant contributions.

Sadly, Mr. Lee did not live to see this celebration. He passed away at the age of 91 on June 7, 2002. Though his life ended, his legacy remained and is felt far beyond the post office at 867 Stockton Street. The executive director of the Chinese American Voter Education Committee reflected on Mr. Lee's life: ''At a time when there were few role models, few political leaders, Lim Poon Lee was someone Chinese Americans could look up to.''

In recognition of Mr. Lee's contributions to his community and the city of San Francisco, let us now recognize his many years of service by naming the post office he established in San Francisco, California, as the ''Lim Poon Lee Post Office.''

I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, at this time, I would like to yield such time as she may consume to the gentlelady from California, the Speaker of the House, Ms. PELOSI.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding and commend him and the ranking member for bringing this resolution to the floor about a great personality. It is such a cause of celebration for all of us in San Francisco to see Lim Poon Lee so recognized on the floor of the House of Representatives. Thank you both for your kind words about him.

Those of us who knew him and worked with him take great joy in the celebration we have here today. And I also rise in support of the legislation to commemorate the life and the achievements of Lim Poon Lee, the first Chinese American postmaster in the United States.

Today, the House has an opportunity to honor Postmaster Lee's lifetime of public service and proud patriotism by naming the post office in the heart of San Francisco's Chinatown as the ''Lim Poon Lee Post Office.''

As has been mentioned, Lim Poon Lee came to these shores from Hong Kong as an infant. Like many immigrants, he so loved this country that he spent his entire life in public service.

During World War II, he served in the U.S. Army as a counterintelligence specialist. He worked in the public welfare and juvenile court system in San Francisco. And Mr. Lee served one of my predecessors in Congress and a friend to many of us here, Congressman Philip Burton, as a field representative.

In 1966, President Lyndon Johnson appointed Lim Poon Lee the Postmaster of San Francisco. At the time, it was the highest Federal appointive post ever held by a Chinese American. In this position, Lee transformed the face of San Francisco's postal system by increasing the hiring of women, minorities and disabled postal workers.

In San Francisco, we know the beauty is in the mix, and Mr. Lee worked to ensure while hiring that the post office look like the rest of the city in terms of its great diversity. In 1977, Lim Poon Lee established San Francisco's Chinatown Post Office, the post office located at 867 Stockton Street. Today we have the opportunity to name that post office for him.

As we honor Postmaster Lee, we also recognize his family, his wife Catherine, his children Rosalind, Dorinda, Lynnette and Chesley and his grandchildren. They helped make his success possible.

As was mentioned by my colleague, Mr. LYNCH, Postmaster Lee passed away in 2002 at the age of 91. His absence is felt throughout San Francisco. As was also mentioned, he was the master of ceremonies for the Chinese New Year Parade, a columnist for ''Asian Week'' and a leader on many distinguished boards and commissions. All who knew him knew him to be a larger-than-life personality. All who knew Philip Burton knew that it took such a larger-than-life personality to be his field representative.

I urge my colleagues to join me in paying tribute to the life of the first Chinese American postmaster, again at the time, the highest appointive office in the land when appointed by Lyndon Johnson, by supporting this legislation naming a post office in honor of Lim Poon Lee. And I thank you, Mr. LYNCH, again, for your leadership.

Mr. CHAFFETZ. Madam Speaker, given this was Speaker PELOSI's bill, please note that we did take a little harder, closer look. And I'm happy to report that this is an outstanding American. I appreciate the Speaker's bringing this bill that is a worthy designation. He is a great American and somebody I hope our communities across this country can look up to.

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

Mr. LYNCH. Madam Speaker, at this time, I would like to yield 3 minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Madam Speaker, I appreciate the leadership of the committee for bringing H.R. 3119 forward.

I rise in strong support of this legislation honoring the first Chinese American Postmaster General in the United States, Lim Poon Lee, by naming a post office after him.

At the time of his appointment, he was the highest ranking federally appointed Chinese American official. He served the United States honorably in World War II as a counterintelligence specialist. He spoke three languages, Chinese, Japanese and English. During his tenure as Postmaster General, he worked to change the face of the post office by hiring women, racial and ethnic minorities and the disabled.

Postmaster Lee was a key activist in the fight against the Chinese Exclusion Act, and during his long career in public service, he served as a social worker, juvenile probation officer, and preacher, sitting on numerous community boards and councils. I think it is

fitting to also say that we do look into the background of folks to see if they should be honored in this way. I think that when we talk about him, it is obvious that he has contributed quite a bit to his country. But one more thing that I think we need to understand is that he also was a victim of anti-Asian legislation in this country. And when he was able to reach and attain a certain level of responsibility, I think he also understood this concept of not perpetuating these kinds of behaviors, but correcting it and making it easier for other folks to be able to participate in this country. And I think that is why he is recognized in being able to work with other folks. I guess we call that ''acting affirmatively in positions of influence.'' I think that he is a great example of someone who understood how to implement things like affirmative action and looking at going beyond the arena of comfort in doing the right thing and extending the conduct and the principles of the Constitution of this country.

I and other members of the Congressional Asian Pacific American Caucus have worked to highlight the accomplishments of and contributions to American society made by Asian American and Pacific Islanders.

In this spirit, I thank the Speaker and the other leaders for bringing forth this resolution and urge my colleagues to rise in support to honor a pioneering Chinese American who contributed much to this country.

Mr. LYNCH. Madam Speaker, I simply want to thank Speaker PELOSI for bringing this bill forward. I thank Mr. HONDA for his remarks and the ranking member for his comments as well. And I ask that all Members join us in honoring Lim Poon Lee by naming the San Francisco Chinatown Post Office in his honor.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3119.

The question was taken.

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

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

The yeas and nays were ordered.

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

APPROVING RENEWAL OF IMPORT RESTRICTIONS ON BURMA

Mr. LEVIN. Madam Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 56) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes, as amended.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 56

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

SEC. 101. AMENDMENT TO BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

Section 9(b)(3) of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended by striking ''six years'' and inserting ''nine years''.

SEC. 102. RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

(a) IN GENERAL.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A(b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(b) RULE OF CONSTRUCTION.—This joint resolution shall be deemed to be a ''renewal resolution'' for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

SEC. 103. CUSTOMS USER FEES.

Section 13031(j)(3)(B)(i) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(B)(i)) is amended by striking ''January 31, 2018'' and inserting ''February 7, 2018''.

SEC. 104. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on the date of the enactment of this joint resolution or July 26, 2009, whichever occurs first.

TITLE II—TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES

SEC. 201. SHORT TITLE.

This title may be cited as the ''Corporate Estimated Tax Shift Act of 2009''.

SEC. 202. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

(a) REPEAL OF ADJUSTMENTS FOR 2010, 2011, AND 2013.—

(1) IN GENERAL.—Section 401 of the Tax Increase Prevention and Reconciliation Act of 2005 (and any modification of such section contained in any other provision of law) shall not apply with respect to any installment of corporate estimated tax which (without regard to such section) would otherwise be due after December 31, 2009.

(b) ADJUSTMENT FOR 2014.—Notwithstanding section 6655 of the Internal Revenue Code of 1986—

(1) in the case of a corporation with assets of not less than $1,000,000,000 (determined as of the end of the preceding taxable year), the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2014 shall be 100.25 percent of such amount, and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Texas (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. LEVIN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Madam Speaker, I urge Members to support this joint resolution which extends and renews the import ban on products of Burma under the Burmese Freedom and Democracy Act of 2003. The joint resolution is necessary because the troubling human rights conditions in Burma persist, and thus renewal of the import ban is warranted.

Burma's military junta continues to be one of the world's most repression and abusive regimes. And while some have voiced concerns about the effectiveness of unilateral sanctions, Burma remains a major violator of basic human rights, which is why it is so important to renew the import ban for another year.

For over 45 years, Burma has been under the rule of authoritarian military regimes, all dominated by the majority Burman ethnic group. Not only have these military rulers suppressed democracy, but they have continually denied basic human rights to their own citizens. The Burma regime continues to hold Nobel Laureate Aung San Suu Kyi under house arrest. She has been detained for 14 of the last 20 years and is currently on trial because an uninvited American swam to her lakeside home in May of this year. Most expect that she will be found guilty of violating the terms of her house arrest, extending her detention, and giving the junta an excuse to hold her through next year's elections.

Burma's legal system is a mockery to justice and to democratic principles. In addition to the wrongful detention and the current sham trial of Suu Kyi, nearly 2,000 additional political prisoners are being held, most without ever being formally charged. The military regime continues the practice of arbitrarily arresting and detaining regular citizens and pro-democracy activists. This past weekend, at least 50 members of the opposition National League for Democracy party were participating in the official ceremony marking the death of General Aung San, the country's independence hero.

These political activists were released later in the day. Other activists are not so fortunate. They often disappear for days, weeks and months, and some may never return. In prison they are subjected to physical abuse, receive little food, lack clean water and are refused sufficient medical care. They suffer, and so do their families, who may never discover the fate of their loved ones. But Burma's disregard for basic human rights extends far beyond its prison's walls. Violence and ethnic discrimination against children, women and ethnic minorities continue unabated.

For instance, there have been a number of reports of Burmese soldiers raping and killing teenage girls of the

Karen minority. Those who commit these despicable acts are rarely, if ever, brought to justice by this repressive regime.

□ 1845

Additionally, workers' rights remain restricted; women and girls continue to be subjected to trafficking for purposes of prostitution; and children are often forced into military service.

Forced labor is frequently used to support military operations and infrastructure. Villagers are forced to build and repair military camps, often with materials they must buy or provide themselves.

It is Burma's suppression of democratic principles such as freedom of speech and assembly, and the regime's refusal to provide basic human rights, that leads me to urge my colleagues to extend the ban on the import of Burmese products for another year.

I commend Prime Minister Gordon Brown and Secretary General Ban Ki-Moon for their recent statements calling on the junta to end its oppression, and I hope that nations around the world, and in particular China and India and the ASEAN member countries, will work with the United States to pressure the Burmese military regime to embrace reform and address its troubling human rights record. Secretary Clinton's attendance at this week's ASEAN summit presents an important opportunity to renew this work.

Madam Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise in support of House Joint Resolution 56. Our Burma sanctions are meant to promote democracy, develop respect for human rights, and improve living conditions for the Burmese people. Unfortunately, the ruling junta is still working against, not toward, these objectives. For that reason, I am in favor of reauthorizing our overall sanctions program against Burma for another 3 years and extending import sanctions against Burma for another year.

Burma's regime is one of the world's most oppressive and continues to oppress democratic movements and humanitarianism. Opposition leader Aung San Suu Kyi is still being falsely detained by the regime, now on sham charges. As of April 2009, the regime held an estimated 2,100 political prisoners, more than 150 of whom were recently sentenced to prison terms of up to 104 years. Many of these prisoners were held for nearly a year without charge and were convicted of offenses relating to the participation in pro-democracy movements. The regime also jailed three lawyers representing opposition activists for contempt when the attorneys merely argued that the trials of their clients lacked due process. The regime also severely restricts freedom of assembly, expression, association, movement, and religion.

The Burmese regime does not limit its repugnant behavior to civic activists. Extrajudicial killings, rape, torture, recruitment of child soldiers, and forced labor are routine. Moreover, the regime has actually worked against the interests of its people following the May 2008 cyclone. Due to the regime's practice of applying unreasonable restrictions to humanitarian assistance to workers, the area the cyclone hit hardest continues to be in dire need of assistance.

The leaders of the regime will have greater incentive to cooperate with United Nations diplomatic efforts, their southeast Asian neighbors in ASEAN, and the Peoples Republic of China if its leaders and cronies come under targeted economic pressure that denies them access to personal wealth and sources of revenue. Some Burmese businesspeople with ties to the junta are now starting to feel the pinch, but there is a long way to go.

Another reason to reauthorize the sanctions program and extend the import ban for another year is that this Congress amplified the program last summer. The expansion eliminated trade in jewelry containing Burmese rubies and jadeite, even if the jewelry was made in, and exported from, a third country. It was designed to bring about multilateral pressure on the regime through the United Nations and the World Trade Organization, similar to successful legislation on conflict diamonds.

We are still in the process of assessing the effectiveness of the new law. The Government Accountability Office will be reporting to us this fall on the effectiveness of the expanded sanctions and will be making recommendations for improving administration of the program. It would be unwise for us to allow the lapse of this sanctions program without having the benefit of the GAO's research and report.

I view import sanctions with great skepticism and always have, but these Burma sanctions are crafted to maximize their ability to effect change. For one, they require the administration to issue annual reports on Burma that include whether U.S. national security, economic, and foreign policy interests are being served.

On this point, I note that the administration transmitted this year's statutorily required report late last night. We're still waiting for the administration to articulate its overall Burma policy. The State Department announced it would be conducting a high-profile review of U.S. policy some 6 months ago, but it's not out yet; and our Secretary of State will be showing up at ASEAN meetings tomorrow and Thursday with no new vision.

Perhaps the most critical aspect of the Burma sanctions program is that they require us to redirect our attention every summer to the question of whether these sanctions should be continued. They are not self-executing. We here in Congress must vote to continue them on an annual basis.

I continue to believe that our greatest hope for effecting real change in Burma is multilateralism. The whole world, particularly China and the ASEAN countries, must put real economic pressure on the regime. I support this resolution because it increases our chance to bring about this multilateral effort.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from New York will control the remaining time on H.J. Res. 56 on behalf of the majority.

There was no objection.

Mr. CROWLEY. Madam Speaker, at this time I yield myself as much time as I may consume.

Madam Speaker, I rise this evening in support of the Burmese Freedom and Democracy Act, and let me thank both our friend from Texas for his comments, as well as my friend from Michigan, Mr. LEVIN, for his comments as well with regard to this legislation.

This legislation was first enacted in 2003 under the leadership of former chairman of the House Foreign Affairs Committee and my good friend, Tom Lantos. Tom spent his life fighting for freedom and democracy for those who could not fully defend themselves. He is greatly missed here in the House of Representatives, but his legacy remains, and I have been proud to help carry on his efforts to secure democracy in Burma.

Former Chairman Lantos would be pleased that we are considering the Burmese Freedom and Democracy Act. This legislation will reauthorize the current sanctions on imports from Burma's military regime for an additional 3 years, as well as maintain the ban on the importation of jade and other gems from Burma.

I introduced the Burmese Freedom and Democracy Act because we must show the military regime currently ruling with an iron fist in Burma that there are consequences for their actions. Burma's military regime has carried out a brutal campaign against its own people. It has destroyed 3,000 villages, forced over 1 million people to flee as refugees, and has used rape as a weapon of war, and has pressed millions of civilians into forced labor, modern day slave labor.

The junta has also rejected recent diplomatic outreach, which would have been well received in the global community. Specifically, the junta refused United Nations Secretary General Ban Ki-Moon's request to release political prisoners, including Aung San Suu Kyi, the leader of the nonviolent movement for democracy and human rights in Burma.

Not only did the junta refuse Aung San Suu Kyi's release, they even refused Ban Ki-Moon's request to meet with him.

The Burmese regime must be stopped. If passed, the Burmese Freedom and Democracy Act will supplement President Obama's actions on

May 15, when he renewed investment prohibitions against the Burmese military regime that began during President Clinton's term in office.

The United States is not alone in using sanctions as part of a diplomatic strategy to help promote change in Burma. The European Union renewed its Common Position on sanctions; and Canada, Australia, and New Zealand and others have unilaterally imposed their own restrictions.

Aung San Suu Kyi and the other legitimate leaders of Burma have also called on the world to impose sanctions on their own country, just as Desmond Tutu and the leaders of the struggle to end apartheid in South Africa called for sanctions on South Africa in the 1980s.

We must maintain our sanctions against the junta in Burma, and I call on all my colleagues to vote for the renewal of the Burmese Freedom and Democracy Act.

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

Mr. BRADY of Texas. Madam Speaker, we have no further speakers; and in support of this resolution, I would yield back the balance of my time.

Mr. CROWLEY. I thank the gentleman from Texas. Madam Speaker, at this point in time, we have no further speakers.

Mr. KING of New York. Madam Speaker, today I rise in support of H. J. Res. 56, a resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act, P.L. 108–61. I am proud to have once again introduced this legislation this year with the gentleman from New York, Mr. CROWLEY.

In 2003 Congress passed the Burmese Freedom & Democracy Act, legislation that I co-authored with my friend, the late Tom Lantos. President Bush signed this bill into law and we have reauthorized these import restrictions every year since. The legislation bans imports from Burma and the issuance of visas to those officials affiliated with the State Peace and Development Council, SPDC, the military junta that rules Burma and brutally represses its people. This law also bans U.S. financial transactions that involve individuals or entities connected with the SPDC.

These sanctions are critically important to keeping the pressure on the Burmese junta. The government continues to have one of the worst human rights record in the world and routinely violates the rights of Burmese citizens, including the systematic use of rape as a weapon of war, extrajudicial killings, arbitrary arrests and detention, torture, as well as slave and child labor. The Burmese regime has destroyed more than 3,000 ethnic villages, displaced approximately 2,000,000 Burmese people, more than 500,000 of which are internally displaced, and arrested approximately 1,300 individuals for expressing critical opinions of the government. And it continues to detain Aung San Suu Kyi, the head of the National League for Democracy and the democratically elected leader of Burma, on bogus charges that she violated the terms of her house arrest. She is currently on trial and faces up to five additional years of confinement.

We must continue to stand with the Burmese people and expose the despicable and reprehensible actions of the SPDC. Sanctions are critical to putting pressure on the junta. Last year Congress passed and President Bush signed into law Tom Lantos Block Burmese JADE Act, P.L. 110–286, which bans the importation of Burmese gems into the United States and freezes the assets of Burmese political and military leaders. But we still need others to follow ours and the EU's lead. The Association of Southeast Asian Nations, ASEAN, and the United Nations Security Council, UNSC, must impose multilateral sanctions against Burma's military regime including a complete arms embargo.

Finally, it is my hope that the new Administration promptly completes its policy review toward Burma, implements all the provisions of the Tom Lantos Block Burmese JADE Act, appoints a Special Coordinator for Burma, and supports the establishment of UNSC Commission of Inquiry on Burma.

I urge adoption of the resolution.

Mr. CROWLEY. I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the resolution, H.J. Res. 56, as amended.

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

A motion to reconsider was laid on the table.

SUPPORTING NATIONAL CHILDREN AND FAMILIES DAY

Mr. LYNCH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 534) supporting the goals and ideals of ''National Children and Families Day.''

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 534

Whereas research shows that a supportive and encouraging family is critical to raising strong and resilient children;

Whereas strong healthy families improve the quality of life and the development of children;

Whereas spending time engaging in family activities supports the development of healthy and well-adjusted children;

Whereas families are of many compositions and sizes, it is the strength and support of the family that is essential to child rearing;

Whereas families play critical roles in the care of children, and in their children's health care, this is particularly true for children with special needs;

Whereas mental health plays a central role in child development, families should be encouraged to cultivate environments that are safe and secure, supportive, and that contribute to high-confidence and high self-esteem;

Whereas it is essential to celebrate and reflect upon the important role that all families play in the lives of children and their positive effect for the Nation's future;

Whereas the fourth Saturday of June is ''National Children and Families Day'', a day set aside to recognize the importance of children and families; and

Whereas the country's greatest natural resource is its children: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of ''National Children and Families Day''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

Madam Speaker, I rise in support of H. Res. 534, the resolution supporting the goals and ideals of National Children and Families Day. The strength of our Nation relies heavily upon the future success of today's children. To ensure this success, families across the Nation work hard to instill resiliency, health and wisdom in their children.

This bill was introduced on June 11 and was referred to the Committee on Oversight and Government Reform. The committee reported the bill by unanimous consent on June 10, and it comes to the House floor today with bipartisan support from over 56 cosponsors.

Madam Speaker, American families together make tremendous sacrifice each day to ensure the quality of their child's development. Families play a critical role in the care of children, including their health and developmental needs. Families, including those with children of special needs, should be encouraged to create safe and secure and supportive environments to foster confidence and self-esteem.

Madam Speaker, House Resolution 534 gives us the opportunity to celebrate and reflect upon the role that all these families play in developing well-rounded, well-educated children and the positive outcomes this creates for the Nation's future. We sincerely thank them for their contribution to our country.

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

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

Madam Speaker, I rise today in support of H. Res. 534, supporting the goals and ideals of National Children and Families Day.

Families have long played a critical role in the development of America's youth and well being of our society as a whole. With this resolution, we celebrate those who create a positive family atmosphere and for the many families who commit to the challenging task of raising healthy, productive young men and women.

□ 1900

Over the years, we have learned that the families who provide ethical and moral guidance are the linchpins of our Nation. We depend on our families to encourage education, arouse curiosity, and cultivate safe, supportive environments that contribute to self-confidence.

At this time in history, our youth are increasingly exposed to undesirable influences and because of that it becomes all the more important for family units to pull together as a team, listen to one another, and to work through life's issues.

By spending time engaging in family activities such as volunteering for community service projects, children can learn that service to others benefits all those who participate, either those who need assistance or those who volunteer to serve them. Creating these strong family environments will ultimately result in a new generation of well-rounded leaders for our country.

By celebrating National Children and Families Day on the fourth Saturday in June, the country recognizes the importance of families as well as our country's greatest natural resource, the children of our Nation.

I find it interesting that today, July 21, was my mother's birthday. To be able to ask to speak on this is special to me. She passed away in 1995. I miss her dearly. I would encourage my colleagues to stand up and support this legislation.

With that, I reserve the balance of my time.

Mr. LYNCH. At this point I would take great pleasure to yield 5 minutes to the lead sponsor of this resolution, the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. Thank you, Mr. LYNCH and Mr. CHAFFETZ. I'm really excited to be here today to rise in support of my resolution, House Resolution 534, Supporting the Goals and Ideals of National Children and Families Day.

On a note, I would just say to Mr. CHAFFETZ, part of what moved me in introducing this resolution with my colleague from Michigan, CANDICE MILLER, was the relationship that I have had with my own family and parents and grandparents and extended family, recognizing the very special role that families play in the lives of children and growing them and nurturing them, and especially in sometimes a very troublesome world.

I'd like to thank Chairman TOWNS for the leadership in the Government Oversight and Reform Committee and for his support of this resolution. I'd also like to thank all the cosponsors of the resolution from both sides of the aisle—all of us who recognize the value of families and the importance to our children. Particularly, the gentlewoman from Michigan (Mrs. MILLER) herself soon to be a new grandmother, who understands the role that she has played in her own children's lives and soon to be in a grandchild's life.

House Resolution 534 brings together a really diverse group of Members to recognize and celebrate the role that families play in the development of our greatest natural resource and the future of our Nation—our children.

National Children and Families Day is an opportunity to recognize the importance of families in raising children. Families, however they're defined, improve the quality of life and social development of children. It's within the family unit that a child first learns how to interact with others and how to cope with challenges.

Children's early development depends largely on their parents, extended family, and other caregivers. As such, children thrive when they're raised in an environment of close, dependable relationships that provide love, nurturing, security, and encouragement.

All areas of a child's development—cognitive, social, and physical development—are interconnected. Physically, families play critical roles in the care of their children, meeting nutritional needs and keeping them out of harm. Socially and psychologically it's important to consider how we create an environment that will foster socially well-adjusted children—one who's in good mental health.

Cognitive development is linked intimately to psychological welfare, and this forms the foundation upon which future progress is constructed. These are the things that happen within families.

National Children and Families Day is also a day to celebrate families. It's a special day to highlight the importance of spending time engaging in family activities that support the development of healthy and well-adjusted children.

Families that spend time together help cultivate familial bonds that lay the foundation for a child's later development, well into adulthood. It teaches them how to become good parents themselves.

We have worked with the National Children's Museum, which I'm excited to say will be located in Maryland's Fourth Congressional District that I represent, just outside of Washington, D.C., and the Association of Children's Museums to encourage special events and activities that will highlight the value of spending time together and to celebrate this annual event.

The local children's museums provided my son and me easy access to venues where we could spend time together learning to care about and improve the world. As a single mother, the museums provided us with excellent exhibits and activities that assisted us in strengthening our relationship.

While the composition of families has changed over times, families remain the foundation of our national child-rearing structure and are critical to raising strong and resilient children.

Today, families range widely from single-parent families, to extended families, to even extended families that care for children of our deployed servicemen and women—some of those families where both parents in fact are deployed and the extended family becomes the nurturing grounds for those children. We have experiences all across this country in which family compositions are nurturing and enriching environments for their children.

We see families and their children every day here in the Nation's capitol visiting these historic sites in Washington and surrounding counties. In this context, allow me to share with my colleagues a ''Top Ten'' places for families and children in the Washington region. You can find that on Web sites across this country, including the National Children's Museum.

This resolution will serve to remind us how valuable family activities are in the lives of children. The joy of participating in family activities, however small or large, will remain with a person for his or her entire life.

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

Mr. LYNCH. I yield the gentlelady 1 additional minute.

Ms. EDWARDS of Maryland. This resolution is designed to reinforce the value of this investment of familial time with an annual commemoration.

In conclusion, I urge you to support House Resolution 534. This resolution honors families of all compositions that are based in a foundation of love and care and in relationships that foster environments in which children can grow, learn, thrive, and mature.

National Children and Families Day recognizes dynamic families and their role in successfully raising our country's future.

Mr. CHAFFETZ. Madam Speaker, I have no other speakers at the moment. I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, I just ask all Members to support the gentlewoman from Maryland (Ms. EDWARDS) and her resolution, and I yield back the balance of our time.

Mr. CHAFFETZ. Madam Speaker, I also urge the Members to support the passage of H. Res. 534, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 534.

The question was taken.

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

Mr. BROUN of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

CONRAD DEROUEN, JR. POST OFFICE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2972) to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the Conrad DeRouen, Jr. Post Office.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2972

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

SECTION 1. CONRAD DEROUEN, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, shall be known and designated as the ''Conrad DeRouen, Jr. Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Conrad DeRouen, Jr. Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. LYNCH. Madam Speaker, I now yield myself such time as I may consume. As chairman of the House subcommittee with jurisdiction over the United States Postal Service, I'm pleased to present H.R. 2972 for consideration. This legislation will designate the United States Postal Service Facility located at 115 West Edward Street in Erath, Louisiana, as the ''Conrad DeRouen, Jr. Post Office.''

Introduced by my colleague, Representative CHARLES BOUSTANY of Louisiana, on June 19, 2009, and reported out of committee on July 10, 2009, by unanimous consent, H.R. 2972 enjoys the support of the entire Louisiana House delegation.

Born on February 12, 1921, Conrad ''Snookie'' DeRouen graduated from Erath High School in 1937, and subsequently attended Vanderbilt University, graduating with a master's degree in health and physical education.

At the age of 21, Conrad DeRouen volunteered for service in the United States Marine Corps and was commissioned as a second lieutenant at Quantico, Virginia. Following additional training at Camp Pendleton, Second Lieutenant DeRouen was deployed to the Asiatic theatre during World War II, serving with the 1st Battalion, 2nd Marine Division.

In July of 1944, after serving overseas for a few months, Second Lieutenant DeRouen was involved in the Battle of Saipan in the Marianas Islands. Regrettably, Second Lieutenant DeRouen was gravely wounded in the neck by enemy forces and subsequently died from his wounds at the age of 23.

In recognition of his distinguished service, Second Lieutenant DeRouen posthumously received the Navy Cross, awarded for extreme gallantry and risk of life in actual combat with an armed enemy force and going beyond the call of duty.

As noted by the accompanying citation, Second Lieutenant DeRouen, despite his wounds, ''gallantly refused to be evacuated and remained steadfast in his station until he collapsed from pain and blood loss.''

Additionally, the citation noted that, ''By his initiative, courage, and devotion to duty throughout these hazardous operations, Second Lieutenant DeRouen upheld the highest traditions of the United States Naval Service.''

Madam Speaker, Second Lieutenant Conrad DeRouen's life stands as a testament to the bravery and dedication of the heroic men and women who have offered the ultimate sacrifice in service to our Nation.

Let us together honor this distinguished Marine through the passage of this legislation to designate the West Edward Street Postal Facility in his honor.

I urge my colleagues to join Mr. BOUSTANY, the lead sponsor of this resolution, in supporting H.R. 2972.

I reserve the balance of my time.

Mr. CHAFFETZ. I yield such time as he may consume to my distinguished colleague from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I thank my friend and colleague from Utah and my friend from Massachusetts for this courtesy.

Madam Speaker, I rise today in support of House Resolution 2972, to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the Conrad DeRouen, Jr. Post Office. I'd like to thank the Oversight and Government Reform Committee for bringing this bill to the floor.

Today, it's really a distinct honor for me to celebrate the life of United States Marine Corps Reserve Second Lieutenant Conrad C. DeRouen, Jr., an extraordinary hero in World War II.

A native of Erath, Louisiana, a small coastal town in my district, DeRouen graduated from Erath High School, then went on to Southwestern Louisiana Institute, and subsequently received a master's degree from Peabody College in Nashville, Tennessee.

He married Marguerite Domingues of Abbeville, Louisiana, and at the age of 21 he volunteered to serve in the United States Marine Corps.

□ 1915

While fighting against the Japanese forces in Saipan, Mariana Islands, on July 3, 1944, Lieutenant DeRouen endured continuous exposure to enemy fire in order to guide tanks into areas of combat; and when the communications systems failed, DeRouen seated himself behind the turret in order to continue the resistance.

In another assault on Japanese forces later on July 8, 1944, Lieutenant DeRouen, despite being wounded in the neck by shrapnel from an enemy grenade, refused to leave his post with the 1st Battalion to seek medical assistance and, instead, continued to fight at his station. DeRouen eventually collapsed due to pain and loss of blood and was carried off the field of battle by his comrades. He finally succumbed to his wounds on his ship and was buried at sea.

Lieutenant DeRouen's actions were an inspiration to the marines he fought beside and were a contributing factor in the success of the campaign in the Mariana Islands. Because of his heroic death at the age of only 23 years of age, he was posthumously awarded the Navy Cross for his bravery in a combat zone, the second highest decorated Medal of Honor. Today I join the town of Erath in honoring this fallen hero with the dedication of their post office to the name of Second Lieutenant Conrad C. DeRouen, Jr. for being the highest decorated veteran in its history, a real hero and someone we should all honor.

As we honor Lieutenant DeRouen today, we also must recognize our present-day heroes in Iraq and Afghanistan, those who have fallen and those who continue to fight, and we thank them as well as their families and the families of all of our troops who put on a uniform.

I now ask my colleagues to support this resolution.

Mr. LYNCH. Madam Speaker, I have no further speakers at this time, but I will continue to reserve the balance of my time.

Mr. CHAFFETZ. It's an honor to stand and rise in support of H.R. 2972 and the great American hero that we know as Conrad DeRouen. I appreciate bringing this to our attention, and we look forward to having this post office named after him. It's the least we could do from a country that's so grateful.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2972.

The question was taken.

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

Mr. BROUN of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

CONGRATULATING NBA CHAMPION LOS ANGELES LAKERS

Mr. LYNCH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 566) congratulating the 2008–2009 National Basketball Association Champions, the Los Angeles Lakers, on an outstanding and historic season.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 566

Whereas the Los Angeles Lakers are one of the most successful and respected franchises in the history of the National Basketball Association (NBA);

Whereas prior to the 2008–2009 season, the Lakers won 14 NBA championships, with a cast of players that, over the years, have included NBA greats such as Wilt Chamberlain, Erving ''Magic'' Johnson, James Worthy, Kareem Abdul-Jabbar, Shaquille O'Neal, Michael Cooper, Elgin Baylor, A.C. Green, and other Lakers stars, whose accomplishments were captured courtside by legendary Lakers sportscaster Francis Dayle ''Chick/Chicky Baby'' Hearn;

Whereas in the off-season, the Lakers' General Manager, Mitch Kupchak, with the support of the team's owner, Jerry Buss, maintained the Lakers core of Kobe Bryant, Lamar Odom, Derek Fisher, Pau Gasol, and Trevor Ariza;

Whereas the combination of Bryant, Odom, Fisher, Gasol, and Ariza, led the 2008–2009 Lakers to a 65–17 regular season record and the number one spot in the Western Conference playoffs;

Whereas Ariza first came to fame as a member of the 2002 and 2003 California State Championship teams at Westchester High School in Los Angeles, California;

Whereas the Lakers entered the NBA playoffs with home court advantage as a result of the team's regular season performance and defeated the Utah Jazz in 5 games;

Whereas the Lakers then faced the Houston Rockets in the Western Conference semifinals, winning in 7 games, with Pau Gasol scoring 21 points in an 89–70 victory in the deciding game;

Whereas the Lakers squared off against the high-octane Denver Nuggets, clinching the series in 6 games, thanks to the outstanding play of Pau Gasol and Kobe Bryant;

Whereas the Lakers' matchup with the Orlando Magic in the NBA finals represented a battle between a veteran team, the Lakers, and a young Magic team, led by Dwight Howard;

Whereas the Lakers won the first 2 games of the finals in Los Angeles, including a hard-fought Game 2, during which Kobe Bryant and Pau Gasol combined for 53 points, propelling the Lakers to a 101–96 victory;

Whereas although the Lakers lost Game 3 in Orlando by a score of 108–104, NBA fans were treated to a 31-point performance by Lakers guard Kobe Bryant, who played all but 8 minutes of the game;

Whereas the Lakers were able to defeat the Magic in Game 4 despite a 25-point performance by Magic forward Hedo Turkoglu;

Whereas the Lakers won Game 5 against the Magic by a final score of 99–86, clinching a historic championship, Kobe Bryant's first championship without Shaquille O'Neal, Head Coach Phil Jackson's 10th title as a coach, and the Lakers organization's 15th championship;

Whereas the Lakers recovered from a devastating loss in the 2008 NBA finals against the Boston Celtics to win the 2009 NBA championship and achieve historic championships for Head Coach Phil Jackson, and Kobe Bryant;

Whereas the Lakers' Kobe Bryant was presented with the Bill Russell NBA Finals Most Valuable Player Award;

Whereas in addition to the contributions of superstars Bryant, Gasol, and Odom, strong contributions by Ariza, Brown, Farmar, Ilunga-Mbenga, Bynum, Fisher, Powell, Vujacic, and Walton returned the glory that has marked much of the Los Angeles Lakers franchise history;

Whereas Lakers owner Jerry Buss, General Manager Mitch Kupchak, Head Coach Phil Jackson, and the entire roster and coaching staff have joined previous great Lakers teams in winning the NBA championship; and

Whereas the hustle, team defense, and overall unselfish play of the 2008–2009 Lakers are emblematic of the tradition that has been a hallmark of the franchise for more than 63 years, and serves as a model for coaches and players everywhere: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the 2008–2009 National Basketball Association (NBA) World Champions, the Los Angeles Lakers, are to be congratulated for an outstanding and historic season; and

(2) the Lakers, in winning their 15th NBA World Championship, capped a remarkable, unprecedented single-season turnaround that captivated basketball fans across America and around the world.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. LYNCH. Madam Speaker, I now yield myself as much time as I may consume.

Madam Speaker, as chairman of the House Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia and on behalf of the House Oversight and Government Reform Committee, I am pleased to join my colleagues, and principally Ms. WATERS from the State of California, in the consideration of H. Res. 566, which provides for the recognition of the National Basketball Association Champion Los Angeles Lakers for capturing their 15th NBA championship.

House Resolution 566 was introduced by Representative MAXINE WATERS of California on June 19, 2009, and currently has the support and cosponsorship of 50 Members of Congress, none of whom are from the city of Boston, courtesy of Chairman TOWNS. The measure has been considered and approved by the Oversight Committee and now comes to the House floor as a means of highlighting the Lakers' successful 2008–2009 NBA season and their final victory.

Madam Speaker, the Los Angeles Lakers stand as one of sporting history's greatest franchises. The team was founded in 1946 in Detroit and moved to Minneapolis where it adopted its name, the Lakers, after Minnesota's State nickname, Land of 10,000 Lakes. The Lakers relocated to Los Angeles in 1960.

In the 1980s, the Lakers became one of the NBA's most electrifying and successful teams, winning five championships with Hall of Famers Earvin ''Magic'' Johnson, Kareem Abdul-Jabbar, James Worthy, and Coach Pat Riley. The Lakers' dominance extended into the 21st century as they won three consecutive NBA championships from 2000 to 2002.

Thanks to this year's impressive NBA Finals victory over the Orlando Magic, the Lakers now boast the NBA franchise record for the most wins, the highest winning percentage, and the most NBA Finals appearances. Of course, I would be remiss if I failed to mention that my own beloved Boston Celtics still hold the record for the most NBA Finals championships. You would think they would have picked someone else to do this resolution, but I am happy to congratulate a job well done.

Led by Head Coach Phil Jackson, one of the most successful coaches in NBA history, and Finals MVP Kobe Bryant, the Lakers' road to the NBA championship was lined with its fair share of challenges. While playing in the highly competitive Western Conference, the Lakers earned the conference's best regular season record and were dominant throughout the playoffs.

For this accomplishment, Madam Speaker, we stand to commend the Los Angeles Lakers franchise, the players, coaches and, of course, the diehard Lakers fans on a job well done. I am sure that the Lakers' championship is an enormous source of pride for the residents of Los Angeles, the surrounding area, and the great State of California as well.

In closing, I urge the adoption of House Resolution 566.

I reserve the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I sympathize with the anguish and the agony that my colleague from Massachusetts must have in reading and supporting this resolution. I can only hope that this is truly captured on film for future use.

I rise in support today, as a Utah Jazz fan, in recognizing a great accomplishment in the world of sports. What these athletes are able to do and how they do it is truly remarkable. So I rise in support of H. Res. 566 to congratulate the 2008–2009 Los Angeles Lakers in bringing home their 15th NBA championship.

For the Lakers, this was a season of redemption that ultimately ended in victory and a historic achievement. The conclusion of the 2007–2008 season saw the Lakers experiencing a humiliating 39-point blowout to the

Boston Celtics in game six of the NBA Playoffs, I will remind my colleague from Massachusetts. From that moment, the storied franchise made a commitment to redeem themselves and immediately began the long, arduous process of working their way back to championship glory. One year later, this long and difficult journey culminated with victory and established themselves as the standard against which every franchise in the NBA will be measured.

While the entire Lakers organization can be proud of this team's accomplishments, the season saw some amazing individual milestones.

Coach Phil Jackson cemented his status as one of the winningest coaches, not just in the NBA but in all of professional sports, capturing an unprecedented 11th championship ring. Truly amazing.

Kobe Bryant of the Los Angeles Lakers, who came to the season as the league's reigning MVP, coming off a summer in which he helped lead Team USA to the gold in Beijing, won his fourth NBA title and his first NBA Finals MVP.

Pau Gasol of the Lakers was selected to his second All-Star appearance, his first as a Laker, and was the first Spaniard to be on an NBA title team.

Individual accomplishments aside, there is no question that this team was just, indeed, that, a team, receiving significant contributions from a host of role players that made winning this championship possible.

Shannon Brown, acquired as a throw-in in a midseason trade, played his way into the playoff rotation and made a number of significant three-pointers in key playoff games.

Derek Fisher, one of my personal favorites, the old veteran guard who was slumping his way through the playoffs, emerged in game 4 of the NBA Finals to hit a game-tying three with 4.6 seconds remaining to push the game into overtime. He followed it up with a go-ahead 27-footer that would give the Lakers the lead and the game.

Collectively, this team all season long maintained their commitment to excellence and mental toughness. They were a reflection of the entire organization—owner, Jerry Buss; general manager, Mitch Kupchak; Hall of Fame coach, Phil Jackson—and are a model of excellence; in other words, they are truly champions.

I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, at this time it gives me great pleasure to yield 5 minutes to the lead sponsor of this resolution, Ms. MAXINE WATERS.

Ms. WATERS. Madam Speaker, I am very appreciative of my colleague from Massachusetts and his leadership on this issue and for recognizing me to stand as a proud Los Angeleno, joined by 50 other of my colleagues to congratulate the extraordinary Los Angeles Lakers for their 2009 NBA championship. This resolution, H. Res. 566, commemorates the Los Angeles Lakers' 15th National Basketball Association championship.

Prior to the 2008–2009 season, the Lakers won 14 National Basketball Association championships with a cast of Hall of Famers and coaches, which included NBA greats such as Jerry West, Wilt Chamberlain, Earvin ''Magic'' Johnson, Kareem Abdul-Jabbar, Shaquille O'Neal, Pat Riley, and current Head Coach Phil Jackson.

This season, Kobe Bryant, Lamar Odom, Derek Fisher, Pau Gasol, and Trevor Ariza led the 2008–2009 Lakers to a 65–17 regular season record and the number one spot in the Western Conference Playoffs. Not only did Trevor Ariza help to bring another championship to Los Angeles, he also attended Westchester High School in my district.

The Lakers entered the NBA Playoffs with home court advantage as a result of the team's regular season performance, and in the first round of the playoffs, the Lakers defeated the Utah Jazz in five games to advance to the Western Conference Semifinals.

The Lakers then faced the Houston Rockets in the Western Conference Semifinals, winning seven games, and advanced to the Western Conference Finals where they faced the Denver Nuggets. The Lakers clinched the Western Conference Finals in six games, thanks to the outstanding play by Pau Gasol and Kobe Bryant, which closed out the series.

In the NBA Finals, the Lakers matched up with the Orlando Magic, led by Dwight Howard. The Lakers won the first two games of the Finals in Los Angeles, including a hard-fought game 2, during which Kobe Bryant and Pau Gasol combined for 53 points, propelling the Lakers to a 101–96 victory. The Lakers lost game 3 in Orlando by a score of 108–104; however, Lakers guard Kobe Bryant scored 31 points and played all but 8 minutes of the game.

The Lakers followed their loss in game 3 by winning the next two games in Orlando to win the 2009 NBA championship. For his outstanding play during the NBA Finals, Lakers' guard Kobe Bryant was presented with the Bill Russell NBA Finals Most Valuable Player Award and his fourth NBA championship. Lakers Head Coach Phil Jackson won his 10th NBA championship as a head coach and his 12th NBA championship overall.

Congratulations to the Lakers players, coaches, and staff on winning the 2008–2009 NBA championship.

Mr. CHAFFETZ. Madam Speaker, I am confident the Utah Jazz will be back at some point, but for now, congratulations to the Los Angeles Lakers. I, too, will be supporting H. Res. 566. Congratulations.

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

Mr. LYNCH. Madam Speaker, I, as well, want to congratulate the Lakers and the gentlelady from California. I congratulate her on her resolution and for the victory that it represents.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 566.

The question was taken.

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

Mr. BROUN of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1930

HONORING THE LIFE OF HARRY KALAS

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 350) honoring the life and accomplishments of Harry Kalas for his invaluable contributions to the national past-time of baseball, the community, and the Nation.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 350

Whereas Harry Kalas, an iconic and beloved sports broadcaster passed away on April 13, 2009;

Whereas Harry Kalas was born on March 26, 1936, in Naperville, Illinois;

Whereas Harry Kalas is a 1959 graduate of the University of Iowa with a Bachelor of Arts degree in Speech, Radio, and Television;

Whereas immediately following graduation, Harry Kalas served in the United States Army for two years in Hawaii;

Whereas following his service, Harry Kalas began his broadcasting career with KGU Radio broadcasting games for the University of Hawaii and the Hawaii Islanders of the AAA Pacific Coast League;

Whereas Harry Kalas was a member of the original Houston Astros broadcast team in 1965;

Whereas Harry Kalas joined the Philadelphia Phillies broadcast team in 1971, calling their games for the past 38 years, including 26 years with his great friend and Hall of Famer Richie Ashburn;

Whereas Harry Kalas had diverse talents, calling University of Houston football, Southwest Conference basketball, Big Five basketball, University of Notre Dame football, and NFL games, throughout his illustrious career as well as providing voice-overs for NFL films and numerous commercials;

Whereas Harry Kalas broadcast the opening of the Astrodome, Veterans Stadium, and Citizen Bank Ballpark;

Whereas in 2002, Harry Kalas was the Ford C. Frick Award Winner, named after the former National League President and Major League Baseball Commissioner, which is annually bestowed by the National Baseball Hall of Fame to a broadcaster for ''major contributions to baseball'';

Whereas Harry Kalas called 7 National League Championship Series and 3 World Series, being the voice of the 2008 World Champions;

Whereas Harry Kalas called all of Hall of Famer Steve Carlton's starts as a Phillie, as well as all of Hall of Famer Mike Schmidt's 548 homeruns, making the phrase, ''outta here'', an often imitated but never duplicated signature home run call well known in Philadelphia and the rest of the baseball world;

Whereas Harry Kalas was named Pennsylvania Sportscaster of the year 18 times and was inducted into the National Sportscasters and Sportswriters Association Hall of Fame in 2008;

Whereas Harry Kalas was a remarkable husband to his wife, Eileen, and father to his three sons, Todd, Brad, and Kane;

Whereas his son Todd followed him into the field of sports broadcasting; and

Whereas Harry Kalas, not just as a voice, but also as a husband, father, friend, and veteran, will be sorely missed in both the Philadelphia region and the United States: Now, therefore, be it

Resolved, That the House of Representatives honors the life and accomplishments of Harry Kalas for his invaluable contributions to the national past-time of baseball, the community, and the Nation.

The SPEAKER pro tempore (Mr. SCHRADER). Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform, I am pleased to present House Resolution 350 for consideration. This resolution honors the life and accomplishment of Harry Kalas.

House Resolution 350 was introduced by my colleague, Representative JOE SESTAK, on April 21, 2009, and was favorably reported out of the Oversight Committee by unanimous consent on June 18, 2009. Additionally, House Resolution 350 enjoys the support of over 50 Members of Congress.

Born on March 26, 1936 in Naperville, Illinois, Harry Kalas graduated from Naperville High School in 1954 and from the University of Iowa in 1959, after receiving a Bachelor of Arts degree in Speech, Radio and Television.

Following his graduation, Mr. Kalas served in the United States Army for 2 years, after which he began his distinguished career in broadcasting by calling baseball games for the University of Hawaii, as well as the Hawaii Islanders of the Triple-A Pacific Coast League.

In 1965, Mr. Kalas made his major league baseball debut as a sportscaster with the Houston Astros. Six years later he embarked on what would become a 39-year Hall of Fame career as a sports broadcaster with the Philadelphia Phillies, where he was ultimately paired with his good friend and Phillies' Hall of Famer, center fielder Richie Ashburn.

Nicknamed ''Harry the K'' by Phillies fans, Mr. Kalas originated his now-famous ''Outta Here'' home run call in the mid-1970s and, as the nearly 40-year voice of the Phillies, called a number of memorable Philadelphia and Major League Baseball moments. Among them were the first games played at the Houston Astrodome, Veterans Stadium and Citizens Bank Park, also Mike Schmidt's 500th home run, and every one of Steve Carlton's starts from 1972 to 1986, and, of course, the Phillies' two World Series championships in 1980 and in 2008.

In recognition of his distinguished career, Mr. Kalas received the Ford C. Frick Award in 2002 from the National Baseball Hall of Fame, which actually bestows the award to broadcasters who have made major contributions to the game of baseball.

However, Mr. Kalas' career was not limited to baseball. In addition to his work with the Phillies, Mr. Kalas called a variety of notable sports events over the course of his nearly 50-year career and served as the longtime voice of NFL films, as featured on the HBO program ''Inside the NFL.'' Mr. Kalas also lent his voice to a number of well-known commercials and television specials. But most importantly, Mr. Kalas will be equally remembered as a devoted husband to his beloved wife, Eileen, and father to his three sons, Todd, Brad, and Kane.

Regrettably, Harry Kalas passed away on April 13, 2009. In honor of their beloved friend and colleague, the 2009 Philadelphia Phillies can be seen wearing a black ''H.K.'' patch over the heart of their jerseys, and Mr. Kalas' famous home run call can currently be heard playing in Citizens Bank Park after every Phillies homer.

Additionally, the Phillies have renamed their TV broadcast booth the Harry Kalas Broadcast Booth.

Mr. Speaker, let us further honor this distinguished American through the passage of this commemorative resolution to honor his life and achievements.

I urge my colleagues to do so and support House Resolution 350.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I would like to yield as much time as he may consume to my distinguished colleague and friend from the State of Florida, Mr. ROONEY.

Mr. ROONEY. Mr. Speaker, you know, I wasn't planning on speaking tonight, but earlier this evening Mr. CHAFFETZ informed me that you were commemorating the life of Harry Kalas. And even though I represent the 16th district of Florida, as many Floridians, I came from somewhere else. I was born and raised in Philadelphia, Pennsylvania, and my entire childhood could probably be summed up as being a diehard Phillies fan. And I can remember clearly going down to the Jersey Shore in the summer times, as so many Philadelphians did. And after being put to bed at night by my parents, sneaking out behind the couch there was a table, and I stored an AM radio there, and night after night listening for hours to the voice of Harry Kalas, the mellow, laid back voice that so many Phillies fans just came to admire and love. And how many people listened to that voice for so many hours in the City of Philadelphia and the Philadelphia region.

He truly will be missed. And you know, I always told people that I wanted to grow up and be a baseball announcer, and it was because of Harry Kalas. And somewhere I went off track. But I wanted to take the time here on the House floor to commemorate the life of Harry Kalas. And someday I hope to be a baseball announcer and I hope to be as good as Harry Kalas was.

Mr. LYNCH. I thank the gentleman from Florida for his remarks and adding that personal touch.

Mr. Speaker, I have no further speakers at this time, and I will reserve.

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

I rise in support of H. Res. 350 honoring the voice of the Philadelphia Phillies legendary broadcaster, Harry Kalas, for his contributions to the national pastime of baseball, to the greater Philadelphia community, and to this Nation.

Mr. Kalas graduated from the University of Iowa in 1959 with a degree in Speech, Radio and Television. Upon graduation he was drafted into the United States Army, and when discharged he began working as a broadcaster.

He began his 44-year career as a Major League Baseball broadcaster with the Houston Astros in 1965. Kalas called the first game at Houston's famed Astrodome.

In advance of the 1971 season, he was hired by the Philadelphia Phillies. There he would remain for the next 39 seasons, 27 of which Kalas was paired in the booth with Richie ''Whitey'' Ashburn.

Harry Kalas made many memorable calls while broadcasting for the Phillies, including every start of Hall of Fame pitcher Steve Carlton's Phillies career, and Mike Schmidt's 500th home run on April 18, 1987. Of course, when Harry called the dramatic Schmidt home run, he intoned the player's full name, Michael Jack Schmidt.

His most memorable call, however, came last October 29 at the culmination of the Phillies championship run. As the pitcher struck out the last batter, Kalas' golden voice erupted: ''The Philadelphia Phillies are the 2008 world champions of baseball.''

He had a number of signature calls, but none was more famous than ''That ball is outta here!'' home run call.

Mr. Kalas' contribution to baseball did not go unrecognized during his years as a broadcaster. He was inducted into the broadcaster's wing of the baseball Hall of Fame in 2002, and was named Pennsylvania Sportscaster of the Year 18 times.

In addition to his work with the Phillies, Kalas was also the voice of NFL films and called various sporting events over his career, including Notre Dame football.

Sadly, Mr. Kalas passed away here in Washington, D.C. at Nationals Park in the visiting team's broadcast booth on the afternoon of April 13, 2009, while doing what he loved, preparing to cover a Phillies game.

I ask my fellow Members to join with me in honoring Harry Kalas for his exceptional contributions to baseball and, through that, for his contributions to the community and to the Nation and people like Mr. Rooney, who grew up hearing his voice and coming to enjoy that.

With that, Mr. Speaker, I urge my colleagues to support this resolution and yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, having no further speakers, I do want to ask all of our colleagues to join with the lead sponsor of this resolution, Mr. SESTAK, in supporting his resolution honoring Mr. Kalas.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 350.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SPECIAL ORDERS

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

THE DAUGHTERS OF IRAN

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. Mr. Speaker, the women of Iran are standing shoulder to shoulder in the streets protesting against the rigged, corrupt Iranian elections. At least that's how it began. Now these legions of women, mostly wearing black, full-length Islamic dress, stand in defiance of their government's treatment of women. These women have shed their blood, suffered the same beatings and imprisonment as men. Some have sacrificed their very lives.

In America our hearts ache as we watched the video of Neda Agha Soltan. She was shot by her own government henchmen as she walked through the streets. She bled to death in that street, a martyr for democracy in Iran. Neda was only 26 years old, but her voice still cries from the grave: ''that the people of Iran demand human rights, equality and freedom from tyranny.''

Young women like a girl named Parsia told reporters, and I quote, ''This regime is against all humanity, more specifically, against all women.'' She continues, ''Lots of girls and women in these demonstrations. They're all angry, ready to explode, scream out and let the world hear their voices. I want the world to know that as a woman in this country, I have no freedom.''

The women of Iran have a rich history of fighting for freedom. In the early 1900s, in Persia, later called Iran, Britain and Russia tried to rule Persia through a puppet government.

□ 1945

In 1906, the Persian people fought the shah, and became a constitutional republic. They had a Congress called the Majlis to make their laws.

American economic expert Morgan Shuster was appointed to that democratic government in 1911 to organize Persia's finances. At that time, members of the Majlis were threatened or were bribed by Russia, with support from Great Britain, to disband that constitutional government. Shuster wrote in his memoirs about Persian women who armed themselves and who marched on the Congress.

He writes about those bold, brave women, ''Out from their walled courtyards and harems marched 300 women with the flush of undying determination in their cheeks. They were clad in their plain black robes with the white nets of their veils drooped over their faces. Many held pistols under their skirts or in the folds of their sleeves. Straight to the Congress they went.''

These ''Persian mothers, wives and daughters'' dropped their veils and waved their pistols, saying they had decided to ''kill their own husbands and sons and leave behind their own dead bodies'' if the Congress ''wavered in their duty to uphold the liberty and dignity of the Persian people and nation.''

Because of these courageous women 100 years ago, the Persian Congress stood firm in their struggle for liberty and freedom for the people. However, Russian Cossacks marched into Tehran a week later, disbanding the government by force and executing every constitutionalist they could find.

History speaks to the courage and bravery of Iranian women, which goes back for centuries. It is no surprise they are again at the forefront of the struggle for human rights and dignity in Iran. The women of Iran are not the property of the government, and should not be punished because they demand equality with men. These women present a great challenge for the hardline government. They are a force to be reckoned with, and the government knows it.

My grandmother used to tell me that there's nothing more powerful than a woman who has made up her mind. Let me tell you something, Mr. Speaker: The women of Iran have made up their minds. They are not going to take it anymore. Like their sisters in freedom 100 years ago, they are not going to give into the black-booted thugs who are trying to steal freedom and human dignity from them. Iran is their country. These women are no longer going to be treated as second-class people. Woe be to those who try to stop them. The daughters of Iran have inspired the world with their bravery. Their cause is righteous. Their actions are just. May the almighty who rules the universe make them strong and courageous.

And that's just the way it is.

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.)

AFGHANISTAN BUILD-UP

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. Mr. Speaker, this past Sunday, I read a column in the Raleigh News and Observer, entitled ''From Vietnam 1959 to Afghanistan 2009.'' The column was written by Joseph Galloway, a military journalist and co-author of a book on Vietnam called, ''We Were Soldiers Once and Young.''

[From the News & Observer, July 19, 2009]

FROM VIETNAM 1959 TO AFGHANISTAN 2009

(By Joseph L. Galloway, McClatchy-Tribune Information Services

BAYSIDE, Texas.—It was just about half a century ago, on the night of July 8, 1959, that the first two American soldiers to die in the Vietnam War were slain when guerrillas surrounded and shot up a small mess hall where half a dozen advisers were watching a movie after dinner.

Master Sgt. Chester Ovnand of Copperas Cove, Texas, and Maj. Dale Buis of Imperial Beach, Calif., would become the first two names chiseled on the Vietnam Veterans Memorial—the first of 58,220 Americans who died in Vietnam during the next 16 years.

The deaths of Ovnand and Buis went largely unnoticed at the time, simply a small beginning of what would become a huge national tragedy.

Presidents from Harry Truman to Dwight Eisenhower to John F. Kennedy to Lyndon B. Johnson to Richard M. Nixon to Gerald R. Ford made decisions—some small and incremental, some large and disastrous—in building us so costly and tragic a war.

The national security handmaidens of those presidents, especially those who served Kennedy, Johnson, Nixon and Ford, were supposedly the best and brightest that Harvard and Yale and Princeton could contribute.

Presidents right up to today's like to surround themselves with such self-assured and certain men, men whose eagerness to find war the answer to most problems often grows in direct proportion to their lack of experience in uniform or combat.

This small history lesson can be read as a cautionary tale to President Barack Obama's team as it oversees an excruciating slow-motion end of one war, Iraq, and a pell-mell rush to wade ever deeper into another one in the mountains and deserts of remote and tribal Afghanistan.

The story grows out of a battle in the very beginning of the American takeover of the war in South Vietnam in the fall of 1965 when a defense secretary, Robert S. McNamara, counted the bodies and the beans and offered his president two directly opposing options.

In the wake of the Ia Drang Valley battles of November 1965—the first major collision between an experimental airmobile division of the U.S. Army and regular soldiers in division strength from the People's Army of North Vietnam—President Johnson ordered McNamara to rush to Vietnam and assess what had happened and what was going to happen.

Up till then, just more than 1,000 Americans, mostly advisers and pilots, had been killed in Vietnam since Ovnand and Buis. Then, in just five days 234 more Americans had been killed and hundreds wounded in the Ia Drang. McNamara took briefings from Gen. William Westmoreland, the top U.S. commander in Vietnam, and from Ambassador Henry Cabot Lodge and assorted spy chiefs and diplomats. Then he flew to An Khe in the Central Highlands and was briefed on the Ia Drang battles by then Lt. Col. Hal Moore, who had commanded on the ground in Landing Zone XRAY in the Ia Drang.

On the plane home to Washington, McNamara dictated a Top Secret/Eyes Only memo to Johnson dated Nov. 30, 1965. In that report he stated that the enemy had not only met but had exceeded our escalation of the war and we had reached a decision point. In his view there were two options:

Option One: We could arrange whatever diplomatic cover we could arrange and pull out of South Vietnam.

Option Two: We could give Gen. Westmoreland the 200,000 more U.S. troops he was asking for, in which case by early 1967 we would have more than 500,000 Americans on the ground, and they would be dying at the rate of 1,000 a month. (He was wrong; the death toll would reach over 3,000 a month at the height of the war). ''All we can possibly achieve (by this) is a military stalemate at a much higher level of violence,'' McNamara wrote.

On Dec. 15, 1965, the president assembled what he called the ''wise men'' for a brainstorming session on Vietnam. He entered the Cabinet room holding McNamara's memo. He shook it at McNamara and asked: ''Bob, you mean to tell me no matter what I do, I can't win in Vietnam?'' McNamara nodded yes; that was precisely what he meant.

The wise men sat in session for two days. Participants say there was no real discussion of McNamara's Option One—it would have sent the wrong message to our Cold War allies—and at the end there was a unanimous vote in favor of Option Two—escalating and continuing a war that our leaders knew we could not win.

Remember. This was 1965, 10 years before the last helicopter lifted off that roof in Saigon. It's a hell of a lot easier to get sucked into a war or jump feet first into a war than it is to get out of a war.

There's no question that Obama inherited these two wars, Iraq and Afghanistan, from the Bush/Cheney administration. But the buildup in Afghanistan and the change in strategy belong to Obama and his version of the best and brightest.

The new administration has dictated an escalation from 30,000 U.S. troops to more than 60,000, and even before most of them have actually arrived commanders on the ground are already back asking for more, and why not? When you are a hammer everything around you looks like a nail.

Some smart veterans of both Iraq and Afghanistan, on the ground now or just back, say that at this rate we will inevitably lose the war in Afghanistan; that the situation on the ground now is far worse than Iraq was at its lowest point in 2006 and early 2007. They talk of a costly effort both in lives and national treasure that will stretch out past the Obama administration and maybe the two administrations after that.

Obama needs to call in the ''wise men and women'' for a fish-or-cut bait meeting on his two ongoing wars. Let's hope that this time around, there's an absence of the arrogance and certainty of previous generations of advisers. Let's hope that they choose to speed up the withdrawal of combat troops from Iraq and get out before the Iraqi people and leaders order us to leave. Let's hope, too, that they weigh very carefully all the costs of another decade or two of war in Afghanistan.

Failing that, they should at the very least begin an immediate drive to increase the number of available beds in military and Veterans Administration hospitals and to expand Arlington National Cemetery and the national military cemeteries nationwide.

Mr. Speaker, perhaps the column's most salient point is its description of a time in 1965 when Secretary of Defense Robert McNamara presented President Lyndon Baines Johnson with a top secret memo. It indicated that the United States had reached a decision point with two available options. The first option was to arrange diplomatic cover and to pull out of South Vietnam. The second option was to increase the number of American troops by 200,000, bringing the total to more than 500,000 Americans on the ground.

Regarding this second option, Mr. McNamara stated, ''All we can possibly achieve is a military stalemate at a much higher level of violence.'' I want to repeat that.

Regarding the second option, Mr. McNamara stated, ''All we can possibly achieve is a military stalemate at a much higher level of violence.''

From that time when President Johnson chose to escalate and to continue the war until its conclusion, America suffered 56,000 more casualties.

Mr. Speaker, President Obama's administration has reached a similar decision point with regard to Afghanistan. Last month, on June 25 of 2009, I joined Congressman JIM MCGOVERN in offering an amendment to the National Defense Authorization Act that would have required the Secretary of Defense to submit a report to Congress which outlines an exit strategy for our Armed Forces in Afghanistan.

While I regret that this amendment was not approved, I still believe it's critical for the current administration to clearly articulate benchmarks for success and an end point to its war strategy in Afghanistan. The men and women of our military who have served in Iraq and Afghanistan have done a magnificent job. Many have been deployed four or five times.

Let's not forget, as General Petraeus has said, ''Afghanistan has been known over the years as the graveyard of empires. We cannot take that history lightly.''

That is why it is so important for this current administration to have an end point to its strategy in Afghanistan. This strategy must be articulated sooner rather than later so we can avoid going down the path of other failed empires, and so we can avoid the tragedy and the mistake of Vietnam, when elected officials in Washington never articulated an end point or an understanding of what was to be achieved.

Mr. Speaker, I have Camp Lejeune and Cherry Point Marine Air Station, Camp Lejeune being a Marine base, and I have Seymour Johnson Air Force Base. I've talked to many of all ranks in the Marine Corps. They're willing to go back and to go back again and again and again, but we're getting to the point where we're about to break our military. It is time that the new administration has an end point to whatever we're trying to achieve in Afghanistan.

With that, Mr. Speaker, before I close, as I do frequently on the floor, I tell you without pride that I've signed over 8,000 letters in the last 6 years because of my mistake in giving President Bush the authority to go into Iraq. So I close tonight by asking God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform, and I ask God, in his loving arms, to hold the families who have given a child dying for freedom in Afghanistan and Iraq. Mr. Speaker, I close by asking three times: God, please, God, please, God, please continue to bless America.

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

WORK WITH THE GOP ON HEALTH CARE REFORM

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

Mr. BROUN of Georgia. Mr. Speaker, The Hill newspaper today reports that President Obama is pointing his finger at the Republicans, at the GOP, for the

stalled health care bill. The last time I checked, the Democrats were in control of the House; they have a 60–Member majority in the Senate, and they control the White House. Clearly, the finger needs to be pointed in a different direction or needs to be reeled in.

I wonder who the President will blame next for double-digit unemployment and for a doubled national debt. We were promised that the Democrats' $1 trillion stimulus experiment would immediately create jobs and that unemployment would not rise above 8 percent, but in June alone, almost a half a million jobs were lost. This has driven unemployment to its highest level in 26 years.

Where are Democrats going to point their finger on that one, Mr. Speaker?

What happens when the $646 billion energy tax that the leadership in this House has rammed through raises energy costs on every American family by over $3,100 and when this energy tax is seen in home utility bills and at the gas pumps, costing up to 7 million Americans their jobs? They're going to lose their jobs. Which direction will the President then point his finger, Mr. Speaker?

When the administration's multitrillion-dollar health care experiment is shoved down our throats before August, costing, as the CBO says, more than 750,000 jobs, I ask again: Which direction will the President point his finger?

The bottom line is that, instead of playing the blame game, I urge congressional leadership and this administration not to ignore the recent deficit and the unemployment news. I urge them to scrap this multitrillion-dollar government health care experiment and takeover. I urge them, instead, to work with us Republicans. Work with us across the aisle to develop a health care plan that helps small businesses create jobs instead of taking away jobs and one that gives Americans better access to lower insurance costs. Work with us to rein in spending and to rein in this egregious, outrageous Federal debt. Work with us to institute meaningful reforms that will truly stimulate the economic growth and that will create jobs for all Americans and that will not just create more bureaucracy. Work with us, Mr. Speaker, Madam Speaker, Democratic colleagues. Work with Republicans.

We are accused by the Democrats of being the Party of No, n-o, but Republicans are the Party of Know, k-n-o-w. We know how to create jobs and how to stimulate the economy. We know how to lower the costs of all health care expenses for Americans all across this Nation. We know how to help small businesses by leaving dollars in their pockets, by cutting their tax base and by giving them the money they need to create new jobs and to buy inventory. We know how to stimulate the economy by leaving dollars in people's pockets so that they can invest in their children's futures and in their children's college education funds, so they can pay off credit card debts, so they can buy new cars and buy new homes. Those are the things that will create a stronger economy.

The Republicans have presented alternative after alternative to the Democrats' plan, but our plans are being quashed by the Democratic leadership, and won't see the light of day. It's not fair to the American people that their Representatives are shut out of the debate.

Mr. Speaker, we need to return to regular order. We need to go through what historically has happened in this House so that we have appropriations bills that are presented here with an open rule so that Members can present their amendments. We need to go through regular order, and we need to stop bringing big bills to this floor through the suspension process where they don't have any vetting in the committee process. We need to return to regular order and to go back to what this country was founded upon, and that's freedom and democracy.

THE PRESIDENT PROMISED

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. Mr. Speaker, the President over the past few days has been telling the American people, Trust me. This health care plan we're talking about is going to be a great thing for America. It's not going to cost Americans a lot of money. It's going to provide better quality of care, and nobody will be left out.

So I decided to go through what the President has promised on other occasions just to see if he deviates from his plans when it's more convenient for him. For instance, let's just go through some of the things he has promised.

He said Americans and the Members of Congress would get 5 days to read bills that were going to affect the American people. We've had bills that we didn't get until 3 a.m. in the morning that were 1,100-pages long, and we had to vote on them that very same day. There's no way to read 1,100 pages of legalese and have them understood in just a few hours.

He said no lobbyists would be in his administration. There are lobbyists, a number of them, in his administration. He said no taxes on those making under $250,000. That's not true. We've already levied taxes on people making under $250,000.

He said no earmarks and no pork-barrel projects. In the omnibus spending bill which he signed recently, there were 8,000 pork-barrel projects in that bill. He said there was going to be openness in the health care debate. There has been not a great deal of openness, and a lot of it has been conducted behind closed doors. He said the people were going to see almost every aspect of it because he was going to have roundtable discussions throughout the entire debate.

□ 2000

He said he was going to cull spending and there would be no new taxes on people under $250,000. This is the highest amount of spending since World War II. There's been $1.4 trillion in new taxes. He said he was going to cut each budget of each cabinet by a hundred million dollars. That has not yet been accomplished. He said he was going to try to block and oversee the problems with the TARP plan, that $700 billion. He said there would be no Big Government, but there's been a takeover of the auto industry, the financial industry, the energy industry, the health care industry, and it's the largest budget in history that he proposes.

He said that he would allow people to withdraw from their 401(k) accounts without any penalty if they were unemployed and having a difficult time. That was not in the stimulus bill. He said there would be a $3,000 tax credit for every person hired by business. That was not in the stimulus bill.

And then, of course, we come to the health care plan. He said this plan is going to be very good for America, and I want all of my colleagues to take a good look at this plan of the Democrats' health care proposal which the President supports. All of the white spots are new agencies that are going to be making determinations about people's health care. It looks more like a roadmap that's been messed up. You can't figure it out. You have to go from here over to there to get health care, and it's going to cost a great deal of money.

In fact, the plan is supposed to cost, we believe, between 1 and 3 trillion dollars, that's 1 and 3 trillion dollars that we don't have that's going to have to be raised through tax increases and fees, and this is going to be part of it. They're going to end up taxing everybody for this health care plan.

And finally, this is going to result in about 4.7 million jobs lost, because when small business in America has to pay for this conglomeration of health care, they're going to have to cut back on employment of their employees, and a lot of those jobs will probably go overseas.

This is a terrible thing for America right now. And the reason I bring all of the things up that the President has promised, he's promising the American people a very good health plan. Trust him, everything is going to be fine. There is nothing to worry about. And yet it's going to cost so much money, it's going to cost rationing of health care, and it's going to cost everybody in this country and the future generations a great deal of money that we don't have. And I think that is a heck of a legacy to leave to our young children and our posterity.

I want to end by reading what was in the Wall Street Journal on the front page: Congress' chief budget scorekeeper casts a new cloud over Democrats' efforts to overhaul the Nation's health care system, telling lawmakers

Thursday that the main proposals being considered would fail to contain costs.

They say it will, but this article and this man says it will not. It will not contain costs, one of the primary goals, and could actually worsen the problem of radically escalating medical spending.

I hope everybody in the House is paying attention to this.

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

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

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

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

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

(Mr. SOUDER 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 Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

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

THE WESTERN CAUCUS

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. Mr. Speaker, today, 134 Republicans came here to the floor and spoke for 1 minute each about the issue of jobs and where they had been, for, indeed, we were promised that there would be jobs that would be created and saved if we simply passed a stimulus bill and didn't take the time to read it like a couple of others we did. Unfortunately, the reality has not been quite the same. In fact, this is basically the report card that we came up with.

This administration said that if we quickly pass that huge stimulus bill, there would be some unemployment but it would only be 8 percent. In fact, the dark blue line here is what they said would be the recovery path of our economy. They said if we didn't do that, we would follow a trajectory of the light blue line and actually have 9½ percent unemployment. That is a difference of 3 million workers being out of a job if we took the time to actually read the bill and think about it.

The sad part is, though, after 5½ months, the trajectory line is actually the red dots there, which means we are far exceeding anything that was projected whether we did the stimulus or didn't do the stimulus. In fact, you can arguably say that we might have been better off not doing anything at all.

The Vice President was correct when he said that this administration totally misread the economy. Nonetheless, Speaker PELOSI and President Obama have teamed together to put up the largest budget, and we're still in the process of voting for it. We are on track now, Mr. Speaker, of actually spending $4 trillion in this year's Congress. We are spending money like it was Monopoly money with the possible exception that you can't pass go and you don't get $200 every time you do it.

To put this kind of concept in place, at $4 trillion, we would be spending $1 billion every 2.2 hours. To put it in perspective again, if you tried to pay off $4 trillion, that means every single household in America would have to cough up 35 grand to cover it. And the problem that we have with that is simply we don't have that kind of money lying around, whether we spent it or not. In fact, we will be predicted to be in a deficit. CBO scores this year's deficit at $1.85 trillion. That's the amount of money we'll spend that we have absolutely no funds for.

Now, you can see on this chart, back there at the turn of this century, we actually had a surplus. You can notice when 9/11 hit we went into deficits. Those grey lanes are the deficits run up by the big-spending George W. Bush—at least, he was accused of that. What we have over here is what we have been spending ever since. The light red lines are the estimates of the Obama administration. The dark red lines are the estimates of our Congressional Budget Office, and they predict that this year it's $1.85 trillion that we will overspend.

Now, this isn't perhaps the best view. This is only a 1-year shot of what we are doing as far as our finances. If we actually took a bigger view of it and tried to find all of the things we still owe, we are actually at about $11.6 trillion in total debt. And if you add things like the bailouts and the bank rescues and the auto recovery loans we have, we're about $23 trillion in debt, which is difficult when our total gross domestic product is about $14 trillion.

Let me put that in a kind of perspective for you.

When we went to the Moon, if you put the money we spent on that effort to go to the Moon in today's dollars, we would have spent around $200 billion. Everything FDR did in the New Deal to try to get us out of the old original Depression in today's dollars would be about $500 billion. If you took everything we spent on World War II, that's about $4 trillion. Today, we are spending, in real dollars, $4 trillion and a deficit of almost $2 trillion and a total deficit of $23 trillion of everything combined. That was not the change that we were promised.

And the proponents of the stimulus package, quite frankly, view its failure in the fact that we didn't put enough money into it and that perhaps we should have another stimulus package to spend more money. The Democrats' solution, quite frankly, is we need to spend more money. The bottom line, though, is spending money is not the same thing as creating jobs. There are other alternatives that are out there.

The Republican Party has introduced almost a thousand bills of alternatives that have never been allowed to be discussed on this floor. We had one called the no-cost stimulus bill. It was estimated that it would grow our gross domestic product by $10 trillion and create 2 million jobs and would cost the taxpayers exactly nothing and has still yet to be allowed to be discussed on this particular floor.

Now, we come here today as part of a Western Caucus with the understanding that much of what we do in the West is a catalyst for us solving this particular problem in moving our economy ahead.

Unfortunately, this administration, which misdiagnosed what the stimulus would do, has also misdiagnosed the opportunity that so much of our public lands have offered to us. It is not an effort to try to destroy the environment, but there are enough resources we have in this country that we could create an energy policy that would indeed build real jobs.

Unfortunately, this administration looks at the gift that it has at its disposal and instead goes in the opposite direction. It creates an environmental policy that is aimed at benefiting special interest groups so that instead of our using our resources to create jobs, we actually are sacrificing jobs to a false ideology.

In this opportunity today, we are going to be talking about some of the things this administration is doing which actually harms this country and loses jobs when we have a great opportunity to try and grow jobs if we'd just use the resources that we have wisely.

I am joined and will be talking with Representative MCCLINTOCK of California. He has a unique area that deals with the forest area that has a chance of actually bringing people together for a benefit that could grow jobs, help the economy, help the environment, and for some reason, we simply are not doing it.

We will be joined later by Representative THOMPSON of Pennsylvania; not necessarily the West, but he has the same situation with a forest in Pennsylvania and, once again, the administration's misuse of land policy is costing people jobs and should not be there.

I'm joined by my good friend Representative BROUN from Georgia. He's going to try to put all this into some kind of perspective at the same time as

we deal with this issue and other issues, all of which have the same problem of costing us jobs. And hopefully there will be a few more Members who will join us before this hour has concluded.

And I'd also like to talk about a couple of policies that this administration has started which, in reality, costs American jobs when we should be producing jobs with the resources that we have.

But, Mr. Speaker, with that said, I would like, first of all, to yield some time to Representative MCCLINTOCK of California, who has a wonderful opportunity of creating jobs in California, desperately needing the jobs, desperately needing the income, but is faced with a unique barrier that's going to be extremely difficult to overcome.

Mr. MCCLINTOCK. I want to thank my colleague from Utah (Mr. BISHOP) for yielding and for organizing this Special Order for the House tonight and for the attention he's devoted to the suffering in my district that's been caused by the lunatic fringe of the environmental movement that now seems to be so firmly in control of our national policy on public lands. At this point, we're not just trying to create jobs, we are desperately trying to stop losing them because of these policies.

You know, a generation ago we recognized the importance of proper wildlands management. We recognized that there is a balance between the environment and the economy and that both can thrive through proper policy. We recognize that nothing is more devastating to the ecology of a forest than a forest fire, and we recognize that public lands should be managed for the benefit of the public. We recognize that in any living community, including forests, dense overpopulation is simply unhealthy.

So we carefully groomed our public lands, we removed excessive vegetation and gave timber the room that it needed to grow. Surplus timber and overgrowth were sold for the benefit of our communities. Our forests prospered and our economy prospered, and forest fires were far less numerous and far less intense than we see today.

□ 2015

But that was before a radical ideology was introduced into public policy—that we should abandon our public lands to overgrowth and overpopulation and, in essence, to benign negligent. We are now living with the result of that ideology. Forest fires that are fueled by decades of pent-up overgrowth are now increasing in their frequency and their intensity and their destructiveness. One victim of this wrongheaded policy is the environment itself. Recent forest fires in my region make a mockery of all of our clean-air regulations. And anyone who has seen a forest after one of these fires knows that the environmental devastation could not possibly be more complete. But these policies also carry a tremendous economic price. Timber is a renewable resource. If it is properly managed, it is literally an inexhaustible source of prosperity for our Nation. And yet, my region, which is blessed with the most bountiful resource in all of California, has literally been rendered economically prostrate by these policies. A region that once prospered from its surplus timber is now ravaged by fires that are fueled by that surplus timber.

Which brings me to the story of the townspeople of Quincy and El Camino, both little towns in the northeast corner of California. Two months ago, 150 families in each of those little towns received notice that the sawmills that employ them must close. The company made it very clear in its announcement that although the economic downturn was the catalyst, the underlying cause was the fact that two-thirds of the timber that they depended upon had been held up by environmental litigation. Despite the recession, they still had enough business to keep those mills open—and to keep these families employed—if the environmental left had not cut off the timber that those mills depended upon.

Now bear in mind that the population of the town of Quincy is about 400 families—the greater Quincy area about 1,250 families. We are talking about pink slips going to 150 of those families. And they are not the only ones who have lost incomes. Many more jobs were lost indirectly—the folks who drive the trucks and sell the supplies—all lost their jobs as well. This occurred despite the groundbreaking work of a local coalition called the Quincy Library Group that forged a model compromise between environmental, business and forest management advocates a decade ago. That work had culminated in legislation called the Herger-Feinstein Quincy Library Group Forest Recovery Act. It was adopted 11 years ago in this very Chamber by a vote of 429–1. This consensus agreement provided for sound and sustainable forest management practices that in turn would support both local jobs and healthier forests. As Senator FEINSTEIN, a Democrat, pointed out at the time, every single environmental law, including the National Environmental Policy Act and the National Forest Management Act, would be followed as this proposal is implemented. Yet despite a model compromise that produced a model law, the will of the Congress, the livelihoods of hundreds of innocent families, and the fire safety of scores of mountain communities is being challenged and undermined by a constant stream of litigation from groups purporting to support the environment. And I say ''purporting'' because, as the Web site of one of those groups declares, their number one policy goal is to ''eliminate commercial logging on all public lands in California.'' Their policy is not to protect the environment. Their policy is deliberately to destroy commercial enterprise.

We held an informal hearing in Quincy after the mill closures that my friend from Utah was kind enough to join us for. And the stories we heard at that hearing were absolutely heartbreaking. It is a story of how, despite the law, this constant litigation, which is ultimately rejected by the courts, has nevertheless delayed implementation of the Forest Recovery Act until the mills collapse, and that's what we are dealing with today. They know they don't have to win the litigation, all they have to do is draw out the process. And they have done that very successfully until 150 families in Quincy and another 150 families in El Camino lost their jobs. We then held a formal hearing here in Washington, and from that hearing, Congressman HERGER has introduced his bill, H.R. 2899, to prevent frivolous litigation from continuing to destroy those jobs and continuing to impede the fire safety measures that are so vital to the preservation of these forests. I'm in the final stages of preparing legislation to at least grant litigation relief for the land that is actually within the Quincy Library Group territory defined in the legislation. And of course these bills are already being attacked by the same radical groups responsible for the litigation and regulation that is destroying these jobs, destroying these families, destroying these communities and destroying our forests. These extremists even oppose the salvaging of timber that has already been destroyed by forest fires or by disease. Now think about that. Trees that are already dead cannot be salvaged because of lawsuits filed by these extremist groups. And again, they know if they can simply delay the salvage for 2 years, the trees decay to the point where they can't be recovered. And they would rather let those trees rot on the ground rather than to be removed and salvaged to provide jobs for families and lumber for homes and revenues for the national Treasury.

The economic suffering this is now causing is immediate, and it is acute. But an even more ominous effect is placing at risk our mountain communities and our national forests to intense wildfires made possible because overgrowth is no longer being removed. As one forester told me, those trees are going to come out of the forest one way or another. They are either going to be carried out, or they will be burned out. When the excess timber was carried out, we had a thriving lumber industry that put food on the tables and clothes on the children of thousands of working families throughout northern California. More importantly, we also had much healthier forests and far fewer and milder forest fires than we suffer today. This isn't environmentalism. True environmentalists recognize the damage done by overgrowth and overpopulation and recognize that the role of sound forest management practices

is to maintain healthy forests. We are also watching them systematically shut down our public land for public use and public benefit. And every time a little town like Quincy or El Camino is strangled to death by these policies, it has a ripple effect throughout the Nation. Our Nation loses tax revenues, commerce withers, the price of raw materials rises and public resources are diverted to provide economic relief. And our forests suffer as well.

But there's one infinitely higher cost that I haven't mentioned yet, and that brings me to the tragic news that I must impart to the House tonight. There is a raging fire in the Shasta/Trinity National Forest as we speak right now. It's called the ''Backbone Fire.'' About 2 hours ago, I received word that a young man, Thomas Marovich, Jr.—20 years old—from the little town of Aiden in my district, was killed this afternoon fighting that fire. And every time a little town like Aiden mourns the loss of a promising young man like Thomas Marovich, Jr., it is not only a tragedy—if preventable, it is an outrage.

Mr. Speaker, the time has come for the great silent majority of Americans to rise up against the most radical elements of the environmental movement that now seem to control so much of our public policy and to demand that we restore our public land for public use and public benefit, and that we restore the sound forest management practices that once minimized the forest fires that are now again destroying communities and taking lives.

Mr. BISHOP of Utah. Would the gentleman yield for one moment?

Mr. MCCLINTOCK. Absolutely.

Mr. BISHOP of Utah. This is truly a tragedy that you have mentioned that is taking place in your home district. As I was out there in the community of Quincy, I was noticing that the concept that they said is that if they could thin those forests, they could minimize the risk of forest fire as well as using the resources that would be pulled out to create jobs at the same time.

Could this fire have at least been mitigated if we had gone through these practices of thinning the forest under proper procedures that would help the forest as well as help the economy at the same time?

Mr. MCCLINTOCK. Well, that is why for many years we thinned those forests, to reduce the intensity of those forest fires, to reduce the number of those forest fires, and from that excess timber, we provided a thriving economy throughout that region. And by the way, we also provided a tremendous revenue stream to the national Treasury because that timber is on land owned by the people of the United States. So we had healthier forests, and we had a healthy economy. Both have been imperiled by those policies. And then to that you have to add the tragedy of the human loss of those heroic young men like Mr. Marovich who gave his life today to try to stop those fires, which are much more intense today and much more numerous today than they were a generation ago when we practiced sound forest management practice.

Mr. BISHOP of Utah. To the gentleman from California, I thank him for joining us here. I know that we all send our sympathy to the community and especially the family at this time of their particular loss in a heroic effort to try and help and save others.

Part of the problem that the gentleman from California is talking about is because of the land that is owned by the Federal Government. On this particular chart, everything that is in red is owned by the Federal Government. You will notice that it has a preponderance in the West. And where Mr. MCCLINTOCK is talking is that area in California surrounded by red. Let's face it. If you live in that area that is surrounded by red, you really don't have a whole lot of options. The Federal Government controls what opportunities you do or do not have.

Let me give you just one example in my State of a different area. And I want to introduce you to a young man by the name of Mr. Pitchforth. Mr. Pitchforth is a young and exciting school teacher who got 12-, 13- and 14-year-olds excited by geography and history, which by itself should give him some kind of hero's medal. This September, though, he is not going to be teaching school. He is not going to be teaching school because the district in which he lives is one of those red areas in which this administration unilaterally and arbitrarily decided to take 77 oil and gas leases and suspend them, take them off the market, making them unusable. And in so doing, took neighboring and abutting pieces of property owned by the school trust lands and make them also sterile for this time period. The schools lost money. And in so doing, their reaction was to fire the first teacher hired. Mr. Pitchforth is not there anymore. You see, this doesn't deal with just people who are working in oil and gas. There's collateral damage from every one of our decisions that the government makes. Mr. Pitchforth isn't working because of a choice he made, but because of a choice some bureaucrat back here in Washington made. And it's not fair. It's not fair for him. It's not fair for his family.

There's other collateral damage that takes place in this area where the Secretary of the Interior decides to pull these leases and suspend these leases for the rationale that the Bush administration did them too quickly. Actually, the Bush administration took 7 years to go through the process. I guess 7 years was not enough time to decide whether we were doing the right thing or not, at least that is what the Secretary said. Let me read to you a letter from, once again, somebody who is not directly employed but who is in the transportation business that does the shipping of materials both to and from those potential sites. As he wrote the county commission where he lives, Let me applaud your efforts in trying to get the message to our Interior Department that their actions have caused great harm to the economy of our area and to individuals living there. At the end of 2008, we employed over 230 truck drivers and leased 204 trucks. Our payroll was $12 million a year. But since the first of the year, we have laid off 36 trucks and 47 drivers. There are now 47 families without income nor payroll benefits associated with them. Our overall payroll is down 29 percent, projected now to be down to $9 million by the end of this calendar year. On a personal note, my son who has worked in the oil fields for the past 8 years has never been unable to find employment until now. He has been off now for 3 months and is getting very discouraged. My daughter is a single mother of two growing boys. She has been struggling to make ends meet with the economy the way it is now and seems she has lost hope of ever finding employment elsewhere. To Brett who is the field manager who was laid off on July 1, July 13 he and his wife had a baby. To Jody and Jeff, two truck operators, Jody lost his truck because he couldn't make payments after he was laid off because of the decision made by the Secretary here in Washington. Curtis was a craftsman and a cabinetmaker who lost his job due to the cancelled contracts once they realized these leases were taken off the table. Travis, a construction worker, husband, father of two children, laid off, once again, as soon as a bureaucratic decision here in Washington was made that had unintended consequences far beyond what was anticipated when a bureaucrat in Washington decided to make decisions on what should take place on the ground out there and took the opportunity of solving our problems and creating problems and taking jobs away from people.

We talk about the numbers unemployed. Each of those unemployed numbers is a face and a real person with a real family and a real issue. I would like to yield some time to the gentleman from Georgia to try and put this in perspective. And then we will be joined by two other members of the Western Caucus.

Mr. BROUN of Georgia. I thank you, Mr. BISHOP, for yielding me some time. I was really touched by the faces that you've brought forward to the American people tonight here on C–SPAN about these people who have lost their jobs and my good friend TOM MCCLINTOCK talking about the National Forest and the mismanagement that is going on because of the endless environmental wacko lawsuits that are going on there and the unfortunate untimely death of this young man who was fighting those fires that probably could have been prevented if we had managed the forest in a better way, in a correct way, according to normal silviculture practices.

□ 2030

Civil culture means forestry practices to the best extent for economic purposes, and I thank both of you for bringing the face of people to this discussion tonight.

Mr. Speaker, I'm a medical doctor, and I've seen the faces of a lot of patients who have struggled with the cost of health care expenses, the cost of health insurance and medication and hospital bills. In over 3½ decades of practicing general medicine in rural south Georgia and now northeast Georgia, I've literally given away in my services several hundred thousand dollars of my services if I had charged for them.

We have a proposal that I call ObamaCare that's being debated here in the Halls of Congress. Mr. Speaker, the director of the Congressional Budget Office last week said that if ObamaCare is passed it's going to cost 750,000 people their jobs across America. Three-quarters of 1 million people are going to be put out of work just because of passing a bill that supposedly is going to make everybody covered by health insurance.

But the Congressional Budget Office director also said that even in the next 10 years not everybody would be covered. Let me say that again, because what we keep hearing from the Democratic side is we're going to cover everybody; everybody's going to have health care. Well, everybody does have access to health care today. Federal law requires it. What everybody does not have is health insurance.

But our Democratic colleagues want to give free health insurance to illegal aliens, and that's what ObamaCare does. It gives free health insurance to illegal aliens. The 12 million, 15 million illegal aliens in this country who are criminals have entered this country illegally. Virtually all of them have illegal documents. They've broken many Federal laws. They're criminals. And my Democratic colleagues want to give them free insurance. It's going to cost 750,000 American citizens jobs to do so.

Mr. Speaker, this House considered a bill just a few weeks ago that they, my Democratic colleagues, call cap-and-trade. I call it tax-and-trade or tax-and-cap because it's about taxes. It's about revenue. We hear over and over again that it is going to create all these green jobs. Well, it will create some green jobs. In fact, I saw a friend, my next door neighbor in the hall over in the Cannon House Office Building, bring in a chart where he's going to talk about green jobs, and it indeed will create green jobs, but what you're not being told is what happened to Spain.

Our President has lifted up Spain as being the model of what we need to do on these green jobs and environmental policy. Well, about a decade ago Spain put into place a similar piece of legislation as our tax-and-trade bill that's languishing over in the Senate, and I hope the Senate will defeat it. But in Spain, for every single green job that was created, 2.2 other jobs cost. In other words, 2.2 people were put out of work for every one person put to work by these green jobs that tax-and-trade is going to create.

I know my Democratic colleagues can add and subtract. I don't want to accuse them of not doing so, but if you subtract 2.2 from 1, you get a minus 1.2, and that's exactly what's going to happen. If the American people don't stand up and say ''no'' to tax-and-trade, or tax-and-cap, whatever you want to call it, and tell the U.S. Senators, Mr. Speaker, that this is going to be disastrous and it's going to cost American jobs and to defeat it over there in the Senate, there will be 2.2 people put out of work for every 1 person that is put to work.

I already said the Congressional Budget Office says 750,000 people are going to lose their jobs because of ObamaCare, but it's going to do many other things, too, that are disastrous. ObamaCare is going to insert a Washington bureaucrat between every patient and their doctor, and the Washington bureaucrat is going to be making, Mr. Speaker, every single individual in this country's health care decision. The patient, the patient's family won't be able to make those decisions. The doctor won't be able to make those decisions. It's going to be a Washington bureaucrat that makes that decision.

We were told by our Democratic colleagues it's all about lowering costs; but just last Friday the Director of the Congressional Budget Office said that it's not going to rein in the cost of health care. In fact, it's going to cost more money.

So let me get this right. It's going to cost more money to put in place ObamaCare; it's going to take decisions away from patients and their family and their doctor about making health care decisions; and it's going to put a Washington bureaucrat in charge of those decisions, and that Washington bureaucrat is going to say whether a patient can get needed treatment, surgery, x rays, MRIs, or not.

We already know in countries such as Great Britain and Canada that in those socialized medicine, government-run programs, that the death rates for cancer overall are much higher than here in the United States. Women who get breast cancer in Canada and Great Britain, roughly 50 percent of them are dead after 5 years. Prostate cancer, the same, roughly 50 percent of people that are diagnosed with prostate cancer in those countries, or 60 percent, are dead in 5 years. Here in the United States, it's over 90 percent are still alive. So what's going to happen here? Our death rates are going to go up for all cancers.

Just today, we had a bill here on the floor that I talked about that is one to try to encourage people to understand diabetes. As a medical practitioner, I've treated diabetes for years, and the end result of diabetes and the reason it's so important to catch it early and to treat it is that people die at a young age when they have diabetes, a lot younger than they should if it's treated.

But the thing is, as we ration health care and the Washington bureaucrat tells patients that they can't get the tests that they need, they can't get the life-saving coronary bypass surgery or stints and the procedures they need to help them not die from heart attacks or from strokes, the Washington bureaucrats are going to say particularly to the elderly that you can't get the dialysis that you desperately need because you're old and it's not cost effective, it's not comparatively effective, and thus, you just must die and not get the treatment that you desperately need.

So people are not only going to be put out of work but people are going to be in poor health. We're going to degrade the quality of health care delivered by doctors and hospitals across this Nation because a Washington bureaucrat's going to say ''no'' to patients and say ''no'' to doctors.

This is going to be disastrous. We're creating a debt and a deficit that's unprecedented in the history of our Nation. We're going down a track right now, Mr. Speaker, that every great nation in history has gone down: Great Britain, Spain, even Rome. We're going down a track of spending money that we don't have, creating debt that we cannot pay. We're robbing our children and our grandchildren of their future. They will live at a lower standard than we live today because of this huge debt that we're creating, Mr. Speaker, this huge deficit that this administration is creating.

I hear from our friends on the Democratic side, even just this week I heard them blame President Bush for the debt and deficit. Well, I blame President Bush for being a big spender and he was. While I was here during the tail end of his Presidency, I fought all those big spending bills. I fought the Washington bailout of Wall Street.

But President Bush was just a piker compared to what this administration's doing. We're creating unprecedented debt and deficit that our grandchildren cannot pay. So their standard of living is going to be worse than it is today.

Mr. Speaker, there are going to be a lot of people put out of work. During the Great Depression all the spending that FDR did did put some people to work, but the unemployment rates bounced up and down and stayed very high.

Mr. Speaker, in my district in Georgia, many counties have over 13 percent unemployment today. I've talked to several managers of plants, manufacturing plants in my district, that tell me that if this tax-and-trade bill that the Senate has over here that this House passed, they are they're going to lock the doors. Those jobs are going to go overseas because they can't afford to pay the higher energy tax.

Most Americans are going to have a hard time, particularly the poor and the people on limited incomes are going to have a hard time paying the higher energy cost.

Mr. Speaker, Republicans have stood up over and over again and have talked about the proposals that we have made, proposals to stimulate the economy and create jobs; proposals to lower the cost of health care expenses to all Americans; proposals that would stimulate the economy; proposals that don't cost our grandchildren their future and, in fact, will not even cost the taxpayers today any increase in their taxes. But those proposals are not heard because the leadership of this House and the leadership of the Senate across the way won't let those proposals get to the floor to be discussed, and it's not right, Mr. Speaker.

Mr. Speaker, we're robbing America of its future. We're robbing Americans of their jobs today. We're going down a track that's going to put more and more people out of work. It's going to create more problems for people paying their utility bills, their gasoline, their home heating costs and things like that. Even with the mandates from our friends on the Democratic side that they are putting on health care, it's going to literally lower the income of people who are working, and it's not right and it's not fair.

Mr. Speaker, it's got to stop. The American people need to stand up and say ''no'' to ObamaCare, ''no'' to tax-and-spend policies that this administration, that this leadership in this House and the Senate are bringing forward because it's going to destroy America.

And I thank my friend from Utah, Mr. BISHOP. I see he has a poster here that we have a lot of these unemployed people in my district. Praise God that we don't have 14.7 million people in my district out of work; but more and more people are becoming unemployed, and they're going to continue to lose jobs in my district in Georgia, and I'm sure they are in yours in Utah if we don't stop this outrageous spending that the leadership of this Congress, of this administration, are doing. We've got to stop it, and it's up to the American people to demand from their Senators and their Congressmen and this administration saying ''no'' to this outrageous spending that's going on.

□ 2045

I thank the gentleman for yielding.

Mr. BISHOP of Utah. I appreciate Representative BROUN from Georgia for joining us. He provides a unique element to the Western Caucus of giving a Southern input, which we find so similar to the problems that we're facing, as well as a medical background. Part of the problems he's talking about is the reason that the policies we have been creating as a government is part of the problem why we have 14.7 million unemployed right now.

I'd like to go to the Eastern part of the country, if I could, and yield some time to Representative THOMPSON from the State of Pennsylvania, who also has a similar problem, similar situation, with a similar heavyhanded result of bureaucratic Washington decisions, and it has direct impact, so that these unemployed are not just faces, they're real people.

Then, we will be happy to be joined by Representative LUMMIS from Wyoming, who has the same things in her home State as well.

Representative THOMPSON.

Mr. THOMPSON of Pennsylvania. I thank my good friend from Utah (Mr. BISHOP) for coordinating this event tonight. I'm very proud to represent Pennsylvania's Fifth District and am very proud be a part of the Western Caucus. We have a lot of wonderful natural resources that, frankly, help to make, Mr. Speaker, make this country strong, and I believe as a part of our promising future if we use them and use them wisely.

Federal policies that lead to job losses is a very personal one for me and many of my constituents in Pennsylvania's Fifth Congressional District. My district is home to Pennsylvania's only national forest, the Allegheny, or the ANF as we often refer to it—513,000 acres.

The ANF is as special as the district that I represent and has a long history as an economic and a tourism center for the region. Nearby, in Titusville, Pennsylvania, Colonel Edwin Drake founded the world's very first commercial oil well in 1859. The energy industry has been the economic engine in that region in my district ever since. Now this includes the ANF.

For 86 years, the forest has successfully operated for multiuse purposes. These uses include recreation tourism as well as timber harvesting, oil, and natural gas production. Frankly, before this forest was formed 86 years ago, it was an oil and gas field.

Since oil and gas has been the economic engine in the region for over 60 years, when the ANF was created, the Federal Government only purchased the surface rights. This was done intentionally by the Federal Government in order to leave the mineral rights, meaning the rights to oil and gas and minerals, in private hands. And for some 85-plus years there's been a positive working relationship between the Federal Government, who owns the surface rights, and the private and oil gas developers, who own the mineral rights.

However, this longstanding and beneficial relationship recently has been ruptured. Last fall, the Forest Service was sued by three environmental groups: Sierra Club, the Allegheny Defense Project, and the Forest Service Employees for Environmental Ethics. The Sierra Club is based in the Speaker's home district in San Francisco, California. The Allegheny Defense Fund is based somewhere in Oregon. And the Forest Service Employees for Environmental Ethics—well, they won't identify themselves. We don't know.

These groups are attempting to apply the National Environmental Policy Act, or NEPA, to the permitting processes, which effectively will shut down energy production in the forests.

Let me be clear, oil and gas production is the major economic force in the region, and has been since that first oil well was drilled 150 years ago.

Penn State University performed a study and concluded that for every 100 direct oil and gas sector jobs in northwestern Pennsylvania, 23 industry support jobs are created, with an additional 40 ancillary jobs in the retail and residential sectors. Want a true economic stimulus that leads us to energy independence? Let's support that industry. Again, I can't emphasize enough how important these jobs are to our region and the local economy.

As a direct result of the lawsuit, the forest service indefinitely suspended the permitting process for all new oil and gas leases in January of this year. To make matters worse, the Forest Service released a settlement this past April that sides entirely with the environmental groups.

This settlement was reached behind closed doors and was reached with no industry input. There was no judge, no court that told them to do this. Applying NEPA was a decision made by the Forest Service and did not even take into account the people that it would hurt directly and the most. No court told them to do this, which means that it was a policy change that occurred within the National Forest Service.

Now, while these environmental groups would like everyone to think that oil and gas production in the ANF goes unregulated, it's rigorously regulated by the Pennsylvania Department of Environmental Protection. And they do a great job. They always have.

Today, I, along with Mr. BISHOP and 18 other members of the Congressional Western Caucus, sent a letter on this topic to Agriculture Secretary Tom Vilsack. The Secretary, unlike some Members of Congress and environmental groups, knows that the Forest Service is a part of the Agriculture Department, not the Interior Department.

The bottom line is that Congress and the President have this year alone spent about a trillion dollars in the name of job creation. Yet, some within the administration are also actively trying to make policy changes like this that kill good-paying jobs which have existed for 86 years.

Not too long ago, I was in Bradford, Pennsylvania, on a Sunday morning, and I picked out a small church to worship in. And at the end of the service I had a young mom come up to me. She had three little kids in tow. They weren't very big. The oldest maybe was four years old.

And she came up to me and she said, You're Mr. THOMPSON. She said, I want to thank you for what you're trying to

do to stand up for the right things of making sure that we have the rights to access to subsurface rights. You see, her husband makes his living working on oil wells. At that point, he was struggling to find a job and struggling to be able to support his family because of a policy change by this administration which attacks the subsurface private property rights. And that's not right.

I've talked with businesses that have been in the business, have lived their entire life for generations in the Allegheny National Forest, that own subsurface rights and have every right for 86 years to access oil, natural gas, and minerals that they own. And, because of that arbitrary policy change by this administration, that's been shut down. And these folks who have been in business for just generations are no longer able to support themselves.

This type of attack, this type of policy by this administration on private property owners, it impacts timber workers, it impacts drillers, excavation companies, businesses, schools, townships, and families. Frankly, they're all suffering. And they're suffering because of the arbitrary and devastating policies of this administration on private-property-right owners.

I thank the gentleman from Utah and I yield back.

Mr. BISHOP of Utah. I thank the gentleman from Pennsylvania. This clearly shows we are desperate to create jobs and yet we have an Interior and an Agricultural Department whose decisions are killing jobs and the ripple effect those jobs have.

I'd like one other illustration of how this is happening. My good friend, Representative LUMMIS from Wyoming, one of my favorite elements about Wyoming is that fact I'm an old schoolteacher. And this chart clearly shows that the blue line is what Wyoming pays their schoolteachers. The red line is what Montana pays their schoolteachers. And the only difference between those two States is Wyoming clearly realizes what can happen and how much good you can do when you develop the resources that are there in that particular State.

I yield to the gentlelady from Wyoming.

Mrs. LUMMIS. I thank the gentleman from Utah for yielding. The chart he shows is exactly right. The fact that Wyoming chose to develop its mining resources and Montana chose a path that retarded the development of its mining resources is the difference in the teacher salaries, as pointed out in that chart.

We have been blessed in Wyoming by having low unemployment and it created an opportunity, until recently, for people from other States who have suffered job losses to find gainful employment and make a new life in Wyoming.

A number of families have relocated, especially from Michigan, to the State of Wyoming, and predominantly the community of Gillette. Gillette, Wyoming, has become Wyoming's third-largest city and is growing in a way that brings young families vibrancy, activity, and the arts and recreation to a wonderful Wyoming community in northeast Wyoming.

It's brought a lot of new people to Wyoming from Michigan looking for a new life and looking for work. Many of them came from the automobile industry and manufacturing industries and mining industries, quite frankly, that were devastated due to the economic downturn. But they were able to find jobs in Wyoming, and we're so happy to have them.

Then, along comes Waxman-Markey, a bill that creates a national energy tax and a bill that creates a tremendous threat, especially to coal mining jobs.

Jobs in the Wyoming mining industry are high paying. Eighty-six percent higher than the average wage in the State. The average annual wage in the mining industry in Wyoming was $73,000 in 2007. It is an extraordinarily liveable wage in Wyoming.

But, if you look at the total coal mining jobs in the U.S. and the changes in policy under Waxman-Markey and other bills going through this Congress, the outlook for those Michigan residents who have proudly relocated to Wyoming is not very prosperous.

Job losses related to Waxman-Markey, optimistic projections, total U.S. job loss in 5 years: 14,000 jobs lost in coal mining alone. A pessimistic number for job losses 5 years from now in coal mining alone: 35,000 jobs.

Let's project it out because, as you know, Waxman-Markey doesn't take effect completely until the year 2050, but let's just go out 10 years and 15 years.

The projected loss in jobs in 10 years due to Waxman-Markey, under the most optimistic scenario that can be put together: 20,000 jobs lost in coal mining alone. And the pessimistic number: 67,000 jobs. That's the entire population of my community of Cheyenne, and then some.

Of course, 20 years out the optimistic job loss in coal alone: 50,000 people. And the pessimistic number: 125,000 people in coal alone. These are not jobs that can be replaced by green jobs. These green jobs are not projected to pay 86 percent higher than the average wage in my State.

Not only is the Waxman-Markey cap-and-trade bill, the national energy tax, an attack on coal-producing States around the Nation, but other bills going through this Congress are having the same consequence.

Let's take, for example, the Interior Appropriations bill that just passed the House. It had a provision in it that when a company acquires a Federal lease to mine more coal, they will pay a bid bonus payment. That occurs now. The problem is, these bid bonus payments are such a large amount of money that they have been spread out over 5 years so the companies can borrow less money or use production that they're currently accomplishing to pay in 5-year increments for those big coal bid bonus payments.

Under the Interior Appropriations bill that just passed this House, they will have to pay that all up front. These are staggeringly large numbers, in the tens of millions and sometimes hundreds of millions of dollars.

□ 2100

Companies in this financial crisis cannot borrow those kinds of moneys. Consequently, there will be companies that will not bid, thereby reducing the receipts to the American taxpayer when there's not competitive bidding for the coal or there may be no bids at all because no company can borrow enough money to pay the entire 5-year payment up front.

One little amendment in an enormous bill that has tremendous consequences to coal mining jobs went through without discussion, and there are many such amendments in these bills every day that are an attack on jobs in this country, an attack on jobs in my State. The attack on jobs in the Appalachian States is unbelievable under the cap-and-trade bill. If I were in an Appalachian State, I would be even more concerned than I am for my State of Wyoming, and as the number one coal-producing State in the country, I am tremendously concerned about the loss of jobs.

These policies are not good for America. They're not good for my State. They're not good for the West, and they're certainly not good for the hard-working people of America.

I thank Mr. BISHOP of Utah for allowing me the time to speak this evening.

Mr. BISHOP of Utah. I thank the gentlewoman from Wyoming who has so clearly pointed out how small decisions that we make here still have enormous impacts. We have seen what this administration has done in an effort, for whatever reason, to harm the creation of jobs when it deals with land policy.

This week the Secretary of the Interior decided to have a time-out on new leases of uranium mining, which will lose at least 1,100 jobs. He earlier decided to put a halt on the development of oil shale projects. That could be up to 1 million jobs. It is estimated at 160,000 jobs that will be lost from the delay on Outer Continental Shelf development. An effort to stop the timber harvest in western Oregon immediately costs another 5,000 jobs.

Mr. Speaker, as we look at what we're doing here, it is very clear that small business and families are struggling today. Republicans have put forth thoughtful, serious alternatives which have been ignored and not even discussed. It's also clear that the President's economic decisions have not produced jobs, not produced prosperity, and simply have not worked. It doesn't mean that we're out of options. We can still have a real recovery.

If we emphasize and create an environment that empowers small business and empowers Americans and we focus on job creation, we stop the attack on the West and other areas of public lands and the people who live there and allow them to develop the resources that we have been given to create real jobs in this country, we can do that. That is still an option that we have. But we have to do it, and we have to do it together.

There are a lot of other examples that I would like to go into, Mr. Speaker, but time does not allow that—maybe at some other time—where decisions by this administration have actually harmed families and their creation of jobs. Once again, we have to change directions. That has to stop.

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

COMMUNICATION FROM OFFICE OF ATTENDING PHYSICIAN

The SPEAKER pro tempore laid before the House the following communication from Justin Cox, Physician, Office of Attending Physician:

OFFICE OF ATTENDING PHYSICIAN,
U.S. CAPITOL,
Washington, DC, July 21, 2009.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for trial testimony issued by the U.S. District Court for the Eastern District of Virginia in connection with a criminal case now pending in that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JUSTIN COX,
Physician.

ENERGY INDEPENDENCE IS A MATTER OF NATIONAL SECURITY

The SPEAKER pro tempore (Mr. MAFFEI). Under the Speaker's announced policy of January 6, 2009, the gentleman from New York (Mr. MCMAHON) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCMAHON. Mr. Speaker, it's my privilege and honor to stand here in the House of Representatives, representing the people of the great boroughs of Staten Island and Brooklyn in New York for the Freshmen Energy Hour. I am privileged to be joined by my colleague, as I come from Hudson Valley in New York, my colleague from the Ohio Valley, the great JOHN BOCCIERI, the gentleman from Ohio, who will join me in this Freshman Energy Hour.

Mr. Speaker, we're here today to talk about the American Clean Energy and Security Act, which was passed recently by the House, and to speak to its merits in order to urge the Senate to pass it as well. I sat here and listened to our great colleagues from across the aisle for some time this evening speaking on this issue. They conclude that they hope that the Senate looks upon this bill unfavorably as they criticize the initiatives of this bill.

I know that my colleague will mention it, but I would just like to remind them what their former candidate for President in last year's election, Senator JOHN MCCAIN, said about the cap-and-trade legislation as recently as February 17, 2009. He said: It's cap-and-trade, that there will be incentives for people to reduce greenhouse gas emissions. It's a free-market approach. The Europeans are using it now. We did it in the case of addressing acid rain—look, if we do that, we stimulate green technologies. I have great faith in the American industry. This will be a profit-making business, create jobs. It won't cost the American taxpayer a thing.

So I am pleased that those who spoke before me from across the aisle in opposition to this bill referenced the opinion of the United States Senate. And I am glad that Senator MCCAIN was honest and forthright enough to admit that this legislation does, indeed, create jobs, provides for the security of our Nation, and takes care of the environment as well, and, indeed, it is important for us for our future.

As we know, the recently passed Energy and Security legislation comes at a time when inaction will have undue consequences. This comprehensive energy and clean environment bill is a necessary vehicle to ensure our future economic and environmental viability in the 21st century green economy.

I would like to start out by commending the leadership of the House who brought forward this bill and saw that it was passed. The regional differences arising from energy-based issues are often quite lofty, but the leadership did an outstanding job of moving through the legislative process with consideration for different Members' interests.

Since the bill's passage before the Independence Day recess, many Members, myself included, have experienced varying degrees of concern from our constituents, particularly regarding the cost and impact of the bill to their wallets, and quite a lot of this concern has been raised because of misrepresentations from our gentle colleagues from the other side of the aisle as to the aspects of this bill. Together with Mr. BOCCIERI, I would like to address some of these concerns and the pervasive misinformation that has been put out there today and explain how this information will be a cost-saver for consumers and homeowners, will cut down on pollution, and will increase our national security.

At a time when we are importing increasing amounts of energy from hostile regions of the world, we cannot afford to go down the path of energy insecurity. This legislation will redirect us on a path towards energy independence.

Mr. Speaker, you know, I sat here and listened to our colleagues from across the aisle this evening and all day long, hundreds of minutes, I understand, that they spoke about this issue and the creation of jobs in this country. What I found very disconcerting as a New Yorker is that they've totally forgotten the issue of national security and how important energy independence is to this Nation. It's so important to me, Mr. Speaker, because I come from Staten Island and Brooklyn, New York, where, on 9/11, over 10 percent of the people who were killed in the attack on the World Trade Center came from our boroughs, although we have less than 5 percent of the population in that area.

I remember that day as clear as any other in my life—in fact, more profoundly. It was a bright, sunny day. And I remember it because I was involved in my first election campaign that day. It was a primary for the New York City Council. We were in church at about 9 a.m., as we do on every Election Day after opening the polls and campaigning a bit. The police officer who I was with received an emergency call and took us out and said that something terrible had happened and we have to go down to the harbor.

When we got down there, we saw the World Trade Center aflame, and the second plane had just struck. We went back to our office to close down the election, and as we were there, we saw the horrors of what transpired on television as the buildings collapsed. I will never forget it. I will never forget being on the pile the days after and the bucket brigade. I will never forget seeing President Bush say to our Nation and to those who lost their loved ones that we will never forget.

After we closed down the election, we weren't sure what to do that day, so we went to the local hospital and set up a blood bank to await the injured people to come back from the site. But as hour and hour went on, we realized that no one was coming back and the enormity of the tragedy. I mention this because I think it's so important that our Nation does not forget the costs of dependence upon nations around this world for oil who want to see our great American democracy torn down. Our way of life is an affront to them, and they will do anything to tear down America.

So when you have this discussion about energy and whatever they want to call it, let us never forget that this is about energy security first and foremost. America cannot go on the way it has, relying on foreign oil from countries who want to tear our country down. Even though we made a pledge at that time to end dependence on foreign oil, the chart that I have here will show that just in the last year, in 2008, the amount of oil that we imported from foreign countries was 66.4 percent of our usage. The dollars we spent overseas, $475 billion. How many of those

dollars go to al Qaeda? How many of those dollars go to terrorists who want to bring destruction and terror to our country and to our allies' countries around this world?

How dare anyone stand on the floor of this House of Representatives, this noble and esteemed body, and not talk about this anytime they talk about energy, anytime they talk about this bill. I consider it an affront when people misrepresent the facts of this bill for their own political reasons and not to bring the true facts to the American people.

Look again at the ways, since the time that the attack occurred, the way that our dependence on foreign oil, our imports have gone up so dramatically. We have, indeed, forgotten. We have forgotten those who we lost that day. We've forgotten our pledge to have security, to have energy independence, and it is something that this bill will seek to do.

At this time, I would like to ask my colleague, Mr. BOCCIERI, to share with us some of his thoughts from the perspective of the people of the great State of Ohio.

Mr. BOCCIERI. Well, I thank the gentleman from New York and his insight and accuracy with respect to this issue and the importance that it has for our Nation. Now, I must give you this prelude.

I approach this legislation from a very deep perspective that I've had throughout my life. For the last 15 years, I have served in the United States Air Force as a C–130 pilot, and I have to tell you that there is no matter before this Congress more important than the steps we are taking to create a situation by which our Nation can become energy independent.

I must tell you that I hail from the Midwest, and I know my friend hails from New York, but I have to tell you that this bill and this legislation coming before the Congress is about Midwest innovation and breaking our reliance on Mideast oil. The pillars of this legislation are creating jobs, thousands of jobs in our country and hundreds of thousands of jobs alone in my district in Ohio, the 16th Congressional District.

The pillar of this legislation is about national security, about moving away from our dependence on foreign oil. Those two noble causes right now are a track worth defending right now. I stand here with my colleagues today to tell you that we must do something. We will be judged by two measures, Mr. Speaker, two measures: by action or inaction.

I remember in the 1970s when I stood with my father in line to wait so that we could fill up for a tank of gas. Back then, back then we had a Democrat-controlled Congress. We had a Democrat President, but we didn't have the political will to make this happen. This Congress and this President are saying, No more. No more to outsourcing our dependence to foreign petro-dictators, if you will, that don't have the interests of the United States at stake.

My colleague talked about some of those, and let me just put this down to you right now. In 2003, a U.S. Department of Defense study concluded that the risk of abrupt climate change should be elevated beyond a scientific debate to a U.S. national security concern. We talked about how much oil we've used from overseas. We imported over 66 percent just last year, accounting for nearly 16 percent of all import spending.

My friends, we must do something. Now, this is not just John Boccieri saying this on the floor of the House of Representatives. This is not my friend Mike McMahon from New York saying this or my friend Frank Kratovil from Maryland suggesting this. Every Presidential candidate running for the highest office in our country last year said that this is a matter of national security.

You heard the words of my friend from New York when he talked about Senator John McCain, who I have great respect for, a man who I flew out of Baghdad while he was visiting our troops, a man who put his life on the line for the country. I want the American people and our colleagues here tonight to listen to this. It's about cap-and-trade.

There will be incentives for people to reduce greenhouse gas emissions. It's a free-market approach. Let me repeat that. It is a free-market approach. The Europeans are doing it. We did it in the case of addressing acid rain. We're doing a cap-and-trade program right now in the United States here that's been in existence for 19 years. Look, if we do that, we will stimulate green technologies. This will be a profit-making business. It won't cost the American taxpayer. Let me repeat that again. John McCain said that it's a free-market approach and it won't cost the American taxpayer.

Joe Lieberman and I introduced a cap-and-trade proposal 7 years ago which would reduce greenhouse gases with a gradual reduction. We did the same thing with acid rain. This works. It works. My friends, this is about our national security. John McCain and every other Presidential candidate running for office last year said that it's a matter of national security.

□ 2115

The Department of Defense is saying it's a matter of national security. But all of a sudden, our friends here that we have this debate with are running away from national security. For what, I have no idea.

But I'll tell you this much. This is our opportunity to put America on a track where we can create jobs in the heartland and in the cities of great New York and in the suburbs of Maryland. We can create jobs and we can protect our national security.

After having fought—one last point, Mr. MCMAHON. After having served overseas flying wounded and fallen soldiers out of Baghdad, it is very clear that our presence in the Middle East is about that 66 percent that Congressman MCMAHON talked about, because 40 percent of that 66 percent that has come from overseas comes from the Middle East. And this is the time that we have to act.

Mr. MCMAHON. Thank you, Congressman BOCCIERI for that passioned insight on this issue. And as you point out, I talked about the horrors of our energy dependence on the Middle Eastern countries here on foreign soil, on our domestic soil and through terrorism.

But certainly, we thank you for your service to our country. And also it's quite clear that the men and women who are wearing our uniforms right now fighting in Iraq and Afghanistan are doing so, so much so because we can't get off our addiction to that foreign oil, particularly from the Mid East, and that's what this bill is about.

We'd like to hear from our equally great colleague from the great State of Maryland, FRANK KRATOVIL.

Mr. KRATOVIL. Let me thank the gentleman from New York for, first of all, leading us in this discussion this evening on such an important topic and, of course, my friend and colleague from Ohio, Mr. BOCCIERI, for passion.

I want to follow up on just a couple of things that you had mentioned, Mr. BOCCIERI, talking about this issue from a historical perspective. You know, so many times in this country we talk about for years and years the things we need to do, and yet when push comes to shove, we don't always have the political courage to do what needs to be done. You were speaking about discussions you had with your father.

You know, every U.S. President since Richard Nixon has advocated the need for energy independence. In 1974, Nixon promised it could be achieved within 6 years. Gerald Ford promised it could be done in 10 years. And Jimmy Carter pledged to wage the moral equivalent of war to achieve it. And yet, here we are, in 2009, and for the first time really we have made steps, really aggressive proactive steps in reducing our dependence on foreign oil.

I want to read you something that President Nixon said at the State of the Union address in 1973. Looking at the year 1974, which lies before us, there are 10 key areas in which landmark accomplishments are possible this year in America. If we make these our national agenda, this is what we will achieve in 1974. We will break the back of the energy crisis. We will lay the foundation for our future capacity to meet America's energy needs from America's own resources. That was Nixon in 1973.

Gerald Ford, in 1975, said, I am proposing a program which will begin to restore our country's surplus capacity in total energy. In this way we will be able to assure ourselves reliable and adequate energy and help foster a new

world energy stability for other major consuming nations. We must develop our energy technology and resources so that the United States has the ability to supply a significant share of the energy needs of the Free World by the end of this century. President Ford, in 1975.

So, looking at it from a historical perspective, we have talked about this for years and years because Presidents in the past have recognized, and Congresses in the past have recognized, that it is essential for our own national security that we reduce our dependence on foreign oil.

In 1970, our oil imports have grown from nearly 24 percent in 1970, to nearly 70 percent of our total consumption now. Last year alone, the United States spent $475 billion on foreign oil.

Needless to say, as Mr. BOCCIERI mentioned, and as you mentioned, much of this funding benefits nations that support terrorism or, at the very least, anti-American political extremism. How long should we continue to provide dollars to nations that seek to destroy us?

And so, although this bill focused also on the issue of climate change, for me, and I'm sure for many other Members, this issue had more to do with, from my standpoint, an issue of national security, reducing our dependence on foreign oil and doing what we should have been doing back in the 1970s and moving our country forward.

Now, let me say something about our colleagues on the other side of the aisle. Objections have been raised with a number of bills that have come before this Congress, and arguments that we are moving too quickly. Some of those arguments I've agreed with. But the key in moving this Nation forward is not simply to have people that stand in the way of making progress. Regardless of arguments that they make, if we were to give as much time as our opponents on the other side of the aisle would allow, many of them would still object to moving this country forward.

So we need to find a reasonable balance between some of the objections that are made in terms of process and yet, at the same time, make sure that we are not simply standing in the way of progress simply as a result of being in opposition for whatever we do to move this country forward.

And with that, I'll yield back to the gentleman from New York.

Mr. MCMAHON. Thank you, Congressman KRATOVIL. And those are points extremely well taken. And you can only wonder whether President Nixon and President Ford would be very disappointed, having understood how important this issue is to our national security to have the other side of the aisle, as you say, really giving out such misinformation about the effects and particulars of this bill to really scare the American Nation. And I can tolerate that when it's issues of a more domestic nature and whether, you know, we should, when it comes to different types of issues that we vote on on resolutions before the House or domestic issues.

But when you talk about national security, it really borders on unpatriotic, in my mind, to use misinformation to scare the American people at a time when we can really get ourselves off foreign oil.

You know, how many times have we heard about the study from the MIT economist that, according to the other side of the aisle, will cost every American family $3,100 under this bill? That very economist has come out in public and said that it is untrue, that they are misrepresenting the conclusions of his report.

And everyone from the CBO to everyone else down has pointed out that when you take in all the different ramifications of the bill in consideration, that at worst, in the year 2017, I believe it is, that the average American family, at most, would see an increase of $175 a year. Now that's in 8 years. So between now and 8 years from now there is no increase, and there are natural increases anyway. And in fact, in some parts of the country, like the Northeast, which I represent, there will actually be a decrease in cost because of the way that we generate our energy now and the way it's transmitted.

In fact, the National Resources Defense Counsel says that in the Northeast they will see a decrease of $5 per month on your electricity bill. That's why three Republicans in New Jersey voted for this bill. That's why a Republican in New York voted for this bill. They didn't listen to the misinformation. They understood it was about national security, and it delivers electricity to homeowners at a cheaper cost.

Yet, I believe to engage in misinformation on this very vital issue of national security is wrong.

Congressman BOCCIERI, I'd like to yield to you, sir.

Mr. BOCCIERI. I thank the gentlemen from New York and Maryland for their insight. And we talked about what our friends on the other side are suggesting about the cost. But let me ask you this profound question: What is the cost of doing nothing? What is the cost of doing nothing? 500 billion, $1 trillion overseas?

This is a matter of our national security. And I must tell you that if 27 percent of all America's cars were hybrid electric gasoline vehicles, much like Ford has produced with its Escape, and much like we have with some of the other models coming before the market, if just 20 percent of all American cars were hybrid gasoline electric models, the United States could stop importing oil from the Persian Gulf. Just 20 percent of the vehicles on our roads, we would end our dependence on oil from the Persian Gulf.

This is the pillar of our legislation, national security, creating jobs and moving away from our dependence on foreign oil. That's what an energy policy in the United States should encompass. That's what it should evolve into, and that's what this legislation is about.

If you will just indulge me, I want to read some quotes here from some of our colleagues who were running for President on the other side of the aisle. Rudolph Giuliani said we need to use and expand the use of hybrid vehicles. Remember, just 27 percent of all vehicles on the roads of the United States would end our dependence on oil from the Persian Gulf. Clean coal, carbon sequestration, which is very important to a State like Ohio, where we have a great abundance of coal and carbon capture. We can use that in Ohio. $180 billion in this bill for carbon capture and sequestration and studying that.

The United States Air Force is testing synthetic fuels right now, blended fuels at Wright Patterson Air Force Base because they know, back in the 1940s, when the United States bombed the Ploesti Romanian oil fields and cut off the Germans' supply of oil, the Germans quickly transitioned to synthetic fuel, a derivative of coal. We're reaching that in Ohio, and the United States military is doing the same.

We have more coal reserves in the United States than oil reserves in Saudi Arabia. This should be a major national project. This is a matter of our national security.

Let me reference our friend, Mitt Romney, a good American, suggested that there are multiple reasons for us to say we want to be less dependent on foreign energy and to develop our own sources. That's the real key, of course, additional sources of energy here, as well as more efficient use of energy. That will allow the world to have less oil being drawn down from the various sources it comes from, without dropping prices to too high of a level. It will keep people, some of whom are unsavory characters, from having an influence on our foreign policy.

Let me add Mr. Huckabee. Mr. Huckabee, a good American, plays the guitar very well by the way, I should add. Mr. Huckabee said, So it's critical that our own interests, economically and from a point of national security, we commit to becoming energy independent and that we commit to doing it within a decade. We sent Americans to the Moon in a decade. We can become energy independent in a decade. We have to take responsibility for our own house before we can expect others to do the same for theirs. It goes back to my basic concept of leadership. Leaders don't ask others to do what they are unwilling to do themselves.

Very, very profound statement right there. And we know it's often been said that fear is not a tool of leadership; it's a tool of the status quo.

One last one. Our good friend, Mr. PAUL. We serve with him here; I just spoke with him the other day on the floor. Mr. PAUL said, True conservatives and libertarians have no right to

pollute their neighbors' property. You have no right to pollute your neighbors' air, water or anything. And this would all contribute to the protection of all air and water.

One last point, Mr. MCMAHON. The Truman Project suggested that economic disruptions associated with global climate change are projected by the CIA and other intelligence experts to place increased pressure on weaker nations that may be unable to provide basic needs and maintain order for their own citizens. This is a matter of national security.

I yield back.

Mr. MCMAHON. You're so right, Congressman BOCCIERI, and you put that so eloquently. And you have to wonder why it is that the national leaders of the Republican Party get it, yet it seems to be that the Members of the House of Representatives from the Republican Party don't get it at all.

Before I yield to our great colleague, also from the great State of New York, Mr. PAUL TONKO, I just want to make two points because on the issue of national security, I was shopping in my local supermarket over the weekend, and I spoke to a gentleman who had heard some of the myths about the bill and we spoke about national security. He said to me, well, if we just drilled all our oil in this country, we wouldn't have this problem. Well, we know that physically that couldn't happen immediately. But even if it were to happen, the truth of the matter is, a generation from now those resources would be depleted as well and we'd be in the same place that we are now.

The point of the matter is that we cannot go on the way that we have. And, certainly, I know that there are some who will say, well, global warming, that's a myth. Okay. Take that, if you want to make that argument, go ahead. But pollution and the effects of pollution are not a myth.

In my district we have the highest rate of lung cancer in America. And why? Because we're downwind from the factories in New Jersey and Ohio and across this country. And it blows across and into the people of Staten Island and Brooklyn, and we breathe, and also from the cars and the smog, that terrible air. And it's time, across this country and all those places and those great States that I mentioned, and in my area as well, to have clean air.

□ 2130

There was a very disturbing report on TV this morning. You know, children who are conceived and who are born in areas that have high levels of pollution, that have high levels of polycyclic aromatic hydrocarbons, or PAHs, if they're in the womb when they're exposed to that, their IQ rates are four or five points less than those of children who are conceived and who are born in areas that do not have that pollution. So you could argue about global warming until the cows come home. We know that it's real, but even if you think it isn't, pollution is not a fiction.

As JOHN MCCAIN mentioned, and as we know in New York—and my great colleague is about to speak from Upstate New York—acid rain was a problem, Congressman TONKO. Certainly, in the lakes in Upstate New York, in the Adirondacks and in the Catskill Mountains, they were dead. The lakes were dead, and that was caused by pollution from sulfur dioxide. We now know, because of cap-and-trade, a program which was implemented in 1990 at a third of the projected cost at that time and in half the time projected to clean up, it is very successful, and those lakes again are alive.

Referring to Upstate New York, it's a privilege and an honor to welcome our colleague from the great State of New York, one who is a real leader on the issue of energy and on a clean environment, PAUL TONKO.

Mr. TONKO. Thank you, Representative MCMAHON. It's a pleasure to join with you and with our colleagues from Ohio and Maryland in dealing with the facts of the matter and not with the fiction.

I know that you had earlier gone through the mathematics and the calculations of the impact, as reported by the opposition in the House, as to what this is costing us. To take claim of $3,100 and basing it on a study done where the author has said you have misapplied that information from the MIT study and to grossly inflate it at $3,100 when, more appropriately, it's between the range of $65 and $80, it has an impact on a family. Then the author further addresses it by saying that it needs to be additionally calibrated to go toward the final package that was passed by the House, which has an even lesser impact. Yet leave that aside, and talk about the cost of doing nothing.

Many people will lament, I'm certain, in each one of our districts, as we travel through our districts, about the job loss, about the exportation, and about the offshore/across the shore of American jobs. Well, no one is there to talk about that same impact of sending $400 billion a year to regimes that are unfriendly, that are terrorist in nature, that are certainly not the most secure or stable governments in the world, and we're supplying $400 billion a year. That is the cost today. That is a tax. Call it what you want. It is a tax on the American public. We can go forward and address, in a more secure and energy-independent manner, the sort of solutions that will then grow American jobs. American clean energy jobs are what this whole proposal is about. So it speaks to our sustainable quality that we can encourage that which allows us to grow energy security.

How so?

Well, the Union of Concerned Scientists has said that the renewable electricity standards in our package in the House version will produce well over 300,000 jobs. Then we also have the American Council for an Energy Efficient Economy that is talking about energy efficiency standards that are, again, part and parcel to this package that will grow over 225,000 jobs.

So there, just in a sampling of what can happen, you see how American jobs begin to grow and how they get cultivated from this very aspect of legislation. Those are real jobs. Those are factual bits of information that need to be exchanged and shared with the American public.

People know that our destiny here is controllable by our own actions. They know that. They want us to go forward. They want us to grow this green energy market. They want us to be able to respond in analytical terms where we embrace the intellectual capacity of this Nation and where we grow those technical jobs. There are incentives in this legislation. There are those underpinnings of support to, again, foster those kinds of jobs so that we can stretch this innovation economy and so that we can enhance the number of jobs that are science-and-tech related or are coming through ancillary forces out there that further extrapolate the good outcome and that grow the jobs that are so essential.

American jobs producing American power to then retrofit all of that activity into the American job market: manufacturing, making it more efficient.

We want to keep jobs here. Let's produce a package that retrofits American manufacturing centers to allow them to produce a product wisely, more effectively, efficiently, and then, yes, more competitively in the global market. It all begins with sound energy policy.

They don't want to face those facts. They just want to use applications of fear and say it will cost every family $3,100 when they have been defied in that statement by the very author of the study they cite. That is unacceptable, and the public deserves better than that. They deserve the facts that show how we can grow jobs, how we can create United States' jobs—American jobs—and how we can make us a global technology leader. We need to do it so that we can compete globally. If we're not creating these products, if we're not implementing those sorts of changes, we're falling drastically behind places like China, Germany and Japan, and we can continue to list those countries. It's imperative that we do this.

Mr. MCMAHON. I think it's rather telling—and before I defer to my colleague from Maryland—that, today, the other side of the aisle did 130 one-minute speeches, asking the question: Where are the jobs?

Quite clearly, as you have stated and from these independent studies, from the balance of the studies, by 2020, there will be either 250,000 or 300,000 green jobs created in this country, as shown on this map of our country. It shows where the jobs will be created all

across this great Nation. Each circle indicates from 4,000 to 85,000 to 250,000. All of these jobs across this country will be created. This is where the jobs are. It is in doing legislation that is insightful, that is thoughtful, that takes some courage to stand up and to deal with difficult issues, and that doesn't run away from the fact that this is, indeed, an issue, not only of domestic financial security but of, first and foremost, national security.

Congressman KRATOVIL from Maryland, I yield to you, sir.

Mr. KRATOVIL. Thank you for yielding.

Mr. TONKO, thank you for your comments.

I want to follow up on something you said. You were talking about misstatements that were made in terms of the costs. I want to go back to that in a minute.

You know, one of the misconceptions that you hear when you're back in your districts and elsewhere across the country and that was played up nationally is that, you know, the status quo is acceptable, that Congress doesn't need to take any action, that we're good where we are, and that, at this time, we don't need to do anything. Of course, that is not accurate.

As you folks know, the Supreme Court ruled in 2007 that the Environmental Protection Agency has the authority to regulate greenhouse gas emissions under the Clean Air Act, meaning that the EPA today, without congressional action, could take action on their own to reduce greenhouse gases without any of the protections that were provided under the bill that we passed here in the House. So the argument that Congress could sit back and do nothing is clearly inaccurate simply based on the Supreme Court case in 2007 that demonstrated otherwise. So that ship, in a sense, has sailed.

Congress had an obligation to do it, not simply because of the Supreme Court case, but as we're talking about here, obviously we needed to do it in terms of national security and in terms of reducing our dependence on foreign oil, Mr. MCMAHON, as you pointed out so clearly and also you, Mr. TONKO, in terms of moving us forward in these new green energy jobs that we need.

In terms of the cost issue that you raised, that is the best example of how in a national debate statements are made that are so clearly factually inaccurate. As you folks know, I spent 14 years as a prosecutor, and my life and profession were governed by facts. When you see a misstatement like that in terms of facts, it's somewhat overwhelming, particularly, as you said, in the study that was cited by our colleagues on the other side of the aisle. The author of that study that was cited came out publicly and said that he was being cited inaccurately and that that was not what he said.

The interesting thing is, in looking at it in terms of energy efficiency, not only, arguably, will it not cost our constituents more, but arguably, it will cost them less because of the energy-efficiency savings that will result from that bill. In Maryland, as an example, the study that you cited, Mr. MCMAHON, indicates that Marylanders could arguably save $8 per month as opposed to the arguments that they're going to pay $3,900 more. So the facts that have been given are oftentimes inaccurate.

As you go around and as you're having this discussion with people on whether we should have the policies that were included in that bill, it's interesting from a Maryland perspective, because I heard quite frequently people saying, You know, Mr. KRATOVIL, we don't want cap-and-trade. Well, in Maryland, we've had cap-and-trade since 2007. Maryland has participated in a regional greenhouse gas initiative since 2007, so we already had that.

Again, the interesting thing is, in terms of the Federal standards that were set in terms of reducing greenhouse gas emissions by 17 percent, in Maryland, it's 25 percent. So, in many ways, in Maryland, the argument wasn't so much whether or not we should have these policies; the question was whether or not we should have these policies nationally so that we're all playing by the same rules.

So many of the facts that have been given are inaccurate. As I said, it is incredible when you think about the fact that, for the last 40 years, there has been a recognition among Presidents that, in terms of national security, we must reduce our dependence on foreign oil.

Ronald Reagan: The best answer, while conservation is worthy in itself, is to try to make us independent of outside sources to the greatest extent possible for our energy. 1981, Ronald Reagan.

President George H.W. Bush, October 25, 1991: When our administration developed our national energy strategy, three principles guided our policy—reducing our dependence on foreign oil, protecting our environment and promoting economic growth.

Arguably, this bill does all three.

Yet, despite that recognition dating back to Nixon, despite the fact, as Mr. BOCCIERI has correctly pointed out, that every major Republican Presidential candidate acknowledged the need for reducing our dependence on foreign oil and despite the fact, as was mentioned, that Senator MCCAIN specifically promoted cap-and-trade, when we take the vote in the House, we only have a few brave Republicans who are willing to cross party lines.

Now, why is that?

In my view, despite arguments that are made in terms of process, despite arguments that are made somewhat substantively related to the bills, the bottom line is, ultimately, the votes that are being taken on major issues facing this country are still predominantly based on politics and are not based on what is in the best interest of this country.

As we talked about after this vote, were we to have the vote tomorrow, I would make it again. It was a vote that was very important to this country. It is a vote that will move this country forward, and we need to do what we're doing tonight to convince the people of this country that we were right, as I think we were.

With that, I will yield back.

Mr. MCMAHON. Thank you, Mr. KRATOVIL. You did that very eloquently, and I think it certainly moved some of the people who are watching.

You know, before I yield to our great friend from Ohio (Mr. BOCCIERI), you had pointed out about how facts are so important for a prosecutor and about the author of that study and that the facts were being misused. Publicly, the author said, No, you're misusing my study. These are the real facts. I could see people would misuse it until he made that statement. Maybe they misunderstood it. Yet, when he clarified it and said that they were misstating it, can you imagine that I heard it cited on the floor of this House this evening just prior to our hour here? I find that incredible, and it's certainly something that speaks to the fact that, for some, unfortunately, it's more about politics here than it is doing what is right for the American people.

I yield to our colleague from the great State of Ohio, JOHN BOCCIERI.

Mr. BOCCIERI. Thank you, Congressman MCMAHON.

So let me get this straight: The pillars of this legislation are about creating jobs right here in America that can't be outsourced. When you build a brand new nuclear reactor, when you build an electric hybrid car, when you build an electric grid, those are jobs and those are materials that cannot be outsourced. So it's about creating jobs. Another pillar of this legislation is about national security and about moving away from our dependence on foreign oil. Who wouldn't be for that? Let's go over this again.

In 2003, a Department of Defense study suggested that the risk of abrupt climate change should be elevated beyond a scientific debate to a U.S. national security concern. The CIA and other intelligence experts said that the economic disruptions associated with climate change are projected to put pressure on weak nations that may be unable to provide the basic needs and maintain order for their civilians.

□ 2145

If we just invested in electric hybrid cars and 27 percent of our vehicles here in the United States were gasoline-electric hybrid models, the United States could stop importing oil from the Persian Gulf. 66.4 percent of our oil came from overseas last year, over 40 percent came from the Persian Gulf. We're fighting two wars there. Our Nation's military is there. It's time to bring our troops home safely, honorably and soon, end this addiction that we have to Middle Eastern oil.

Teddy Roosevelt, a great Republican, said this: In a moment of decision, the worst thing that you could do is nothing. What about drilling? In the Senate version, we're going to expand drilling here in the United States. Expand it in the Gulf of Mexico. We know that we can't sustain that, though, with 22 million barrels of oil consumed here in the United States every day and only 3 percent of the world's reserves here in the United States. After we consume 25 percent of the world's oil, we can't sustain it. Do the math.

What about jobs? Manufacturing, in 1950, accounted for over half of every job in America. We're at 10 percent now. Let's produce jobs here. Let's make solar panels so that they can recharge our batteries. Let's do things like fuel cell research like we're doing in the 16th Congressional District. Let's do electric hybrid vehicles, plug-in hybrids like we're doing in the 16th Congressional District. Let's research clean coal, and coal is an abundant and cheap source of energy. We're going to use it, we're going to make it cleaner, and we're going to make certain that it is a long and sustaining source of energy for us for years to come.

Let's talk about the 8,000 manufactured parts that go into a wind turbine. Can you imagine the Timken roller bearings being made in my district making the roller bearings for these big wind turbines? Can you imagine SARE Plastics in my hometown making the molding and the plastic molding that would go in to making the fiberglass infrastructure. These are jobs that cannot be outsourced because we're going to use them. We're going to consume right here, consume that energy right here in the United States.

This is one of the most important issues that we have to tackle. This is about the longevity of our country, quite frankly, my friends. This is about what my four children will have to look forward to, a Nation where we've become, like Mike Huckabee said, a Nation that can't feed itself, that can't fuel itself, or produce the weapons to fight for itself will be a Nation forever enslaved. Are we going to be economic slaves to a condition that we can correct? I think not. We have the courage. We can make that happen if we can find 60 patriots in the United States Senate to make sure the United States is ending our addiction to foreign oil.

Mr. MCMAHON. Thank you, JOHN.

I now yield to the great gentleman from the great State of New York, Mr. TONKO.

Mr. TONKO. It is a pleasure to join with all of my colleagues in this colloquy.

Just yesterday and today in this Nation's Capital, a number of people got to meet the Apollo crew. They got to shake hands with astronauts that made history. They set foot on the Moon. We won a space race that took and demanded a huge investment by this Nation in science, technology, in growing our intellectual capacity, in creating a vision, in stating in bold measure how we were going to reach that goal.

We're at that same moment of challenge. Just think of it. If we had allowed defectors that perhaps divided us or shared misinformation or preached politics of fear, we perhaps wouldn't have won that race. And that was so critically valuable and important to the American Nation, to Americans at large.

That same sort of challenge, that sort of boldness of leadership, the demands for truthful exchange are upon us today, and to grow these opportunities, we'll deal with the facts. And I'm impressed by this House for the leadership and the membership that has really embraced that sort of factual information and advanced an agenda like the legislation that we're proposing and promoting here this evening.

You know, when we look at situations, as Representative BOCCIERI made comment, we can grow jobs but we can also grow intellect. We need to grow the brain trust of this Nation. This measure invests in that development of the human infrastructure. And certainly when Representative KRATOVIL talked about previous administrations through the decades talking about reducing our demands on foreign importation of oil, 60 percent of what we consume today imported from some of the most troubled spots in the world with unstable governments, it's more than that. We have a gluttonous dependency.

Efficiency can reduce the demand side, and for far too long we did not have a comprehensive energy policy in this Nation. We addressed only the supply side and ignored the demand side. Well, now we're talking about both sides of that equation: producing our own supplies and reducing per capita usage of that precious resource. That's what this is about.

Now we talk about innovation. We talk about growing those jobs. All of us have cited moments in history that have inspired us. I represent the city of Schenectady in upstate New York, dubbed the city that lights and hauls the world. Just over a century ago, they were the epicenter of invention and innovation. They allowed the world to be changed by the simple dynamics of creative genius in that location and an outstanding workforce. Blue collar, white collar workers that rolled up their sleeves and got the job done.

Over a century later, we're at that same point where we need an energy revolution. This Nation is poised for that sort of development. Are we going to walk away? I don't think so. I think it's that boldness of leadership that will bring us to the point that we need to be.

And speaking of GE, as a center in that city of Schenectady, they are already inspired by this legislation because we have advanced within the framework and the multiple needs that are addressed by this legislation, battery innovation, advanced battery manufacturing, batteries that can respond to energy generation, batteries that can respond to storage of intermittent power like wind and solar, and batteries that can address transportation sectors, both heavy fleets and lighter fleets. They have a battery application that they believe can respond to those multiple needs.

And they have proposed, at a press conference, to be the site in my district to do advanced battery manufacturing. They are competing for the dollars that are part of this package if it is successful and certainly working on the input that came from the stimulus package, from the Recovery Act.

Working with those applications, they want to go forward and make certain that we can build in this State of mine, in New York State, and your State, MICHAEL, in a way that will have 350 to 400 jobs in the manufacturing sector of advanced batteries. That is progress. That is stability. That is security. That is a greening up of thinking. That is job growth. That is intellectual capacity that is stretched to a far greater degree.

And think of it again. 40 years ago this week, we accomplished our goal because we committed to that goal. We didn't stand up in a House of Representatives and deny the facts or twist the facts or reject the truth. It all began with an honest exchange, and that's what we're doing here. We're going the make certain that the facts are addressed.

Mr. MCMAHON. Thank you, Congressman TONKO, and you put that eloquently. And certainly when the other side was engaged today in just long-winded speeches asking the question, ''Where are the jobs?'' you certainly will tell them with the stimulus package and with the ACES bill, with the Energy Security Act, we have jobs in Schenectady, New York, and Staten Island, New York, and anywhere else where we can build wind turbines and get back the technology that we invented and is now being used overseas.

Gentlemen, we have about 9 minutes left or so, so maybe I could ask you all to kind of make a final remark. And we'll start with certainly the most youthful member—that's a tough one to say.

Mr. KRATOVIL. I think Mr. BOCCIERI is younger than I. You certainly look younger.

Mr. MCMAHON. The person who lives the closest to Washington.

Mr. KRATOVIL. Since this will likely be my last round here as we go through this, let me thank the three of you for the courage to take the vote that you took on this bill. And as I mentioned in the last few discussions that I have had, I do think that it's important in moving our country forward that we do have people in this House that are willing to make difficult choices and to take difficult votes that ultimately are the best for this country even at times when it's politically

difficult to do so. So I thank you for the courage to do that.

You know, people forget that just last year when we were running for office we had $4-a-gallon gas, and people were looking at Congress and saying, What are you doing about $4 in gas? And I mentioned when that was going on that what we do oftentimes in this country is we deal with the crisis but we don't always deal with the underlying issue that led to the crisis.

And so now as the gas prices have dropped, many have forgotten what we were facing just a year ago. Many have moved on. And yet my view is we should not forget the position we were in 1 year ago because we could, at any time in the future, be again paying $4 a gallon, $5 a gallon for gas as long as we are held hostage by those that control our energy. And until we make a decision, as we did in this vote, to move forward towards renewable energy, renewable fuel and ending our dependence on foreign oil, we could, at any moment, face the same situation we faced last year. And none of us as Americans should forget the anger that we had last summer when we were doing that. Many have forgotten. We should not forget that.

We should deal with the underlying issue that led to the energy crisis that we faced last year, and that is reducing our dependence on foreign oil, moving towards renewable energy, and making positive steps in terms of our own national security.

Mr. MCMAHON. Thank you, Mr. KRATOVIL, for participating.

And Mr. BOCCIERI, before I yield to you, I hope you will accept my heartfelt apology for even thinking that Congressman KRATOVIL could be younger than you, sir.

Mr. BOCCIERI. You are forgiven this time.

Let me thank my colleagues for joining me tonight on this important dialogue about the course of this country. Now is not the time to let up off the accelerator. Now is the time to put the gas down, put the pedal to the metal to make sure we do this, because this is about our national security, my friends. The CIA is saying it. The Department of Defense is saying it. Both Democrats and Republicans alike running for President said it last year, and a whole host of Presidential candidates and Presidential minds before that said that this is a matter of our national security.

This is not an issue of partisan politics. It's about patriotism. This isn't an issue about Democrats or Republicans. It's about America and where will our course be in years to come.

Forty-four percent of our oil comes from the Middle East where my friends right now are putting their life on the line for our country and for our national security and because of our economic interests of oil in that region. Let's bring them home. Let's become independent. Let's create jobs here in this country. Let's protect our own national security and move away from our dependence on foreign oil.

Folks talk about the cost. What is the cost of doing nothing? What is the cost of doing nothing? We're going to outsource a trillion dollars of American taxpayer money, a trillion dollars, to enrich regions of the world that don't believe the same that we do when we can believe in Midwest innovation instead of relying on Middle East oil?

□ 2200

This is the time that we can make the decision. This is the time to move away from the politics of the past and look towards the future. We can't allow detractors to use fear as a tool of leadership when we know, as it's often been said, that it is a tool of the status quo.

We will be judged by action or inaction. I'm glad that we chose to act. Thank you for having me tonight.

Mr. MCMAHON. Thank you. Congressman TONKO.

Mr. TONKO. I thank Congressman MCMAHON.

Representative BOCCIERI asked what is the cost of doing nothing. Well, beyond the lack of progress that we should taste in this Nation, it is the denial of this generation's children and grandchildren who will need those career paths developed by us. We need to cultivate that thinking that will allow them to have these new energy jobs, these new environmental jobs, these new plans for economic recovery. That is what gets really lost in the discussion.

When China's now the number one producer of solar panels in the world, when Germany's number two export after cars is wind turbines, when six of the 30 top advanced battery-manufacturing solar and wind companies are American, we need to do better than we're doing today.

As I made mention, the space race of decades ago was an investment made by this Nation in robust fashion. Today, we're in a green energy race with far many more global competitors. Whoever wins this becomes the go-to nation. They will be the exporter of energy ideas, energy intellect, energy invention.

Do we want to deny this generation, future generations from those concepts, from that prize? I don't think so, and if we're going to deny them, let's at least deal with the facts. Let's talk factually. Let's not create a $3,100 price tag when we've been warned over and over again by the author of that study that it is grossly inflated. Let's move forward factually. Let's move forward in green fashion. Let's provide for an innovation economy. Let's speak to the generations of Americans that are counting on us to do a job, do it thoroughly, do it directly.

Mr. MCMAHON. I thank Congressman TONKO for those inspiring words, and thank you all.

You know, it's funny, but in conclusion, I think we all have hit on the very important themes.

Congressman KRATOVIL pointed out that it is about the domestic side, how much we pay for oil and gas, and what happened last summer, $4 of gas, America was outraged, that somehow a year later we've forgotten that because there are those in the House of Representatives of the United States Congress who use misinformation and misstatement of facts to somehow take the American people's focus off what has to be done.

Just think about how many people you talk to at home who said, what, now I have to have an energy auditor in my house when I sell my home? We know that's not in the bill; yet, there are those who on the other side of the aisle have used that misrepresentation of fact to scare the American people, and that's wrong.

Congressman BOCCIERI is a great veteran, a great flyer of planes for the United States military service. We thank you for your service, and you remind us that right now there are young men and women wearing the uniform of our country in places like Iraq and Afghanistan and other places, standing in harm's way because we have not dealt forcefully and effectively with our energy policy, and it's time that we end that.

And as I said to you, coming from New York City and having lived firsthand the horrors of the acts of terrorism on our shores, in our country, we cannot forget the sacrifice that was made that day by those who lost their lives and those who got to the site and came to the rescue and continue to suffer the deleterious effects of their health.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2920, STATUTORY PAY-AS-YOU-GO ACT OF 2009

Mr. PERLMUTTER (during the Special Order of Mr. MCMAHON), from the Committee on Rules, submitted a privileged report (Rept. No. 111–217) on the resolution (H. Res. 665) providing for consideration of the bill (H.R. 2920) to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration, which was referred to the House Calendar and ordered to be printed.

PAYGO

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

Ms. FOXX. Mr. Speaker, I find that our colleagues on the other side of the aisle are going a bit through revisionist history again. We hear them talk over and over again about the things that have happened, what was happening about gas prices last year. They never mentioned that the Democrats were in charge of the Congress

when a lot of these things that they talk about were happening, but I think it's important that we always point that out.

A rule was just reported in by my colleague from the Rules Committee, and I've just come from the Rules Committee myself where we reported out a rule for a bill that's going to be heard on the floor tomorrow called the Pay-As-You-Go Act of 2009, and I thought it might be important to talk a little bit about that rule and that bill tonight because I know this is going to create some confusion in the minds of the American people as to why in the world are we passing something called Pay-As-You-Go Act of 2009 here just before the August recess.

It's also a confusing thing I think to people because they don't understand why we have to pass legislation that says you should pay for things as you go. Most people in this country do that. That's what they expect us to do in the Congress, but that isn't what's going to happen and there's several things going on with that bill that I think need to be explained. Some will be explained tomorrow.

But first of all, that bill did not go to the committee, the Budget Committee, from which it is coming. And when I asked the chairman of the Budget Committee today, he said there just wasn't time to do it. We're dealing with the appropriations bills, we're dealing with the health care bill, and there simply wasn't time to do that. But just like the American public expects us to read bills before we vote on them, I think they expect our bills to go through committee and go through the process of legislating. That's what we're here for.

But, no, there's no time to do that. We keep hearing that from the majority party: there's no time to do what we're sent here to do. But we know that this is just another diversion on their part, and I think I have an appreciation for why that's happening.

Today, the headline in Politico: ''Poll, Public Starts to Lose Trust in Obama; Health Timeline on Life Support; Obama Good for K Street; Energy, Health Care and Finance Agenda a Boon to Lobbying.''

I think what the majority wants to do is sort of take some of the attention away from some of the headlines that are coming out. One of the interesting things about this bill that's going to be dealt with tomorrow, which is it's supposed to be PAYGO, you pay-as-you-go. However, it exempts 40 percent of our budget. So 40 percent of the budget is not going to be included in PAYGO, and yet they are increasing spending on that 40 percent of the budget at least 8 percent a year.

So how in the world are they going to control spending if 40 percent of the budget is exempt and you're allowing it to increase 40 percent a year? You simply ignore that. It's as though the family sits down—they're always comparing what we do here with what the family does. It's like you sit down at the family table to talk about your budget and you say, well, we're only going to deal with 60 percent of the budget; we're going to put 40 percent over here and just going to ignore it, and we're going to spend whatever we want to on that side of the budget. That's exactly what they are doing with this, and it just seems really ridiculous, and I think the American public needs to understand that a little bit.

Now, what they say is, well, this was all instituted in the past; we're exempting things Republicans exempted. But the very first PAYGO bill was passed under Democrats in 1990, a bipartisan effort to try to rein in spending. But what's happened since then is they've ignored it. They even had a PAYGO rule in the rules that the Democrats passed when they took over the Congress in 2007, but the rule is not strong enough for them so now they want to put it in statute.

I think it's simply to divert attention from the headlines. The President's approval ratings are going down. The health care bill is creating many, many problems. We asked today 134 times on this floor where are the jobs that were promised. The economy is going south, and what do the Democrats want to do? They want to divert the American public's attention away from all of those things and say but we passed a law that says we have to pay for these things as we go along. Passing this law is going to make no difference to them than their rule does.

You know, I find it just so interesting that when you say you're going to do something you don't do it, but that's normally the way the Democrats do it.

□ 2210

JOBS LOST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for half the remaining time until midnight.

Mr. CARTER. I thank my friend VIRGINIA FOXX for getting up here and kind of giving us some indication of what we mean by PAYGO. That's a very confusing word. Been hearing it a lot. I haven't seen anything, pay or go, since they've been talking about it. But we seem to be pretty good at spending money around here and don't seem to be very good at paying for it.

Just a thought here. We had a stimulus package that was over a trillion dollars, and I believe that was borrowed money. We have a budget that increased our taxes by $1.4 trillion over the next 10 years. So, that's money they're coming after to pay for it. But I don't think that pays for that $1 trillion.

Their appropriations request increased all the nondefense spending by 12 percent this year. The number of months that jobs have grown under the Democrats since we got started this year is a whopping zero.

So they were talking about why were we asking today on the floor of the House, Where are the jobs? I get really excited about green jobs and green energy and the things that people talk about.

I heard our colleagues in the previous conversation, one of them show us a map of the United States and he said this would create 250,000 new green jobs. I think that's fabulous. It's just unfortunate in the last month and a half we've lost 1.2 million jobs in the United States. So they've got to have a comparison.

The conversation that was going on the previous hour was about energy independence. And I'm for energy independence. And any American that's got any sense at all is for energy independence.

I once asked a man how big an array of solar panels would it take to power Austin, Texas. This man was a physicist at the University of Texas—to power Austin, Texas, for a period of time, and what would that period of time be. He said a proper-sized panel in a non-air conditioned time—and you know in Texas it's hot, so air conditioning is our biggest problem, not heat—in a non-air conditioned time, a properly sized panel could power Austin, Texas, for about an 18-hour period of time before the Sun went down and the power went away. And then you would have to have an alternative power to power it during the night, or storage capacity, which our friends were talking about.

So I said, Well, that doesn't sound too big. How big would that panel be? He said, Approximately the size of the Panhandle of Texas, which is about 280, maybe 300 miles long and about 150 miles wide.

I'm not saying solar is not a solution. But are you going to replace the coal-produced power in Pennsylvania with a solar panel in today's world—and do it economically? No. But it will help, and we can help on an individual basis and we can power businesses with it.

Let's be realistic about energy, and let's go after every form of energy and clean up that energy. That's the solution to our problems. That's a real energy plan.

You know, we in Texas have been having an abundance of natural gas for a long time. We're real proud of our natural gas. We think it's good stuff. Burns clean and we like it. A lot of our folks up here on the East Coast, they didn't like our natural gas until they found some. All of a sudden, guess what? They found some gas shale, a lot of gas shale in the State of Pennsylvania, and I'm hearing an awful lot of colleagues that a year and a half ago were bad mouthing natural gas saying, Natural gas sounds good. I'm with Boone Pickens. Let's power our automobiles with natural gas. Let's produce natural gas.

And, rightfully so, they should be proud of their resources. I'm not knocking their resources. I'm proud they've got it. And I predict that there's shale gas that spreads from Pennsylvania all the way down to Fort Worth, Texas. And I think the geologists will prove it. There's a lot of natural gas in that shale. And we ought to use it. And that's how we free ourselves of foreign oil.

We free ourselves by drilling offshore in a clean drilling procedure, which we have. And we haven't spilled a drop of oil in a drilling procedure in 15 years in the seas. All of our spills you read about are shipping spills, not drilling spills.

So let's go out and seek our energy where it is, and let's create our alternative energy, wind and solar, and let's not forget nuclear, the cleanest energy out there.

Ms. FOXX. Would the gentleman yield?

Mr. CARTER. I certainly will.

Ms. FOXX. In having this energy debate that we were having a few weeks ago before the Democrats passed their national energy tax, which they call cap-and-trade, that CBO predicts will levy $846 billion in new taxes on the American people, we talked a lot about this issue. We have been talking about different issues in the last couple of weeks.

But I heard during that debate that during the last 18 months of President Bush's term, that his administration doubled the use of wind and solar and that they did that in 18 months. But they went from about 1.5 percent to about 3 percent. Did the gentleman hear the same information I heard?

Mr. CARTER. Yes, ma'am.

Ms. FOXX. You know, President Obama has said he would double the use of solar and wind in his first 4 years. Yet, President Bush did it in 18 months—the last 18 months of his term, he did it. So, going ahead and doubling it again, going from 3 percent to 6 percent, doesn't seem to me it's going to be a terribly difficult job.

But I heard this also, and I'd like the gentleman to tell me—check my facts—that, at the most, we are going to be able to absorb 10 percent of wind and solar in our electric grid because wind and solar are not as dependable as other forms of energy, and that to put more than 10 percent into the grid would jeopardize the Nation's energy source. Have you heard that figure too?

Mr. CARTER. Yes. Reclaiming my time, I do not claim to be a physicist, but I have talked with people in the power industry, and because it is not a continuing flow of power but it is an alternating form of power, to make it effective over a 24-hour period, 365 days a year, the power has to be boosted. It's the only way it can be effectively done.

I'm not saying it's not going to be a good source of power. Actually, what's kind of interesting is most projections as to what percentage of our overall national power, wind and solar combined—actually, wind, solar, and hydroelectric combined, would be between 6 and 10 percent.

At maximum effectiveness—and, by the way, there's a lot of folks that have a lot of Texas envy in this world, and they are always picking on us like we don't know anything but oil and gas. Let me make this very clear: We have the largest wind farm in America in the State of Texas. The city of Austin has the largest municipally-owned wind power farm of any municipality in the United States. And, by the way, they are very disappointed.

□ 2220

It was on the front page of the Austin American-Statesman less than 3 or 4 days ago that the wind farm seems to be an unreliable source of power for them. Even though it's a green source and they've been very proud of being the greenest city in America because of that wind, but over liability and this same different flux of power issue, the only way it can be reliable is you put a gas-powered generator right side by side to keep the flow going. So that's not saying I'm not for it, but I'm saying the reality is we're a long way from replacing the massive amount of power that it takes to run this machine called America from wind and solar power.

Ms. FOXX. Will the gentleman yield?

Mr. CARTER. Yes, ma'am. I yield.

Ms. FOXX. I think a lot of people don't realize one of the things that made us such a successful Nation has been the extremely reliable energy that we've had over the last 200 years. We developed energy and learned how to use it very, very well. I believe we are the smartest people and the most innovative people in the world, but what helped us become a manufacturing giant was not just our intelligence, not just our innovation, but our reliable sources of energy.

I worry a great deal about the pie-in-the-sky promises that have been made about alternatives. I, like you, want to see us use every alternative that we can, including foot power and walking a lot more, but I do think that we have a problem because we are hearing these unrealistic expectations of how we could go to alternatives and simply abandon carbon. I don't think we can do that.

You pointed out that our colleagues, who were here the hour before, talked about the creation of 250,000 new green jobs. I want to point out that I have heard that Spain, which went very much to green jobs and alternative energy, now has the highest unemployment rate in Europe. It appears that many of our colleagues have established Europe as the standard to which we should aspire, but when you start breaking down what the situation actually is there, you will see that simply making the goal of switching these jobs that we have now in manufacturing that are going to go away with this national energy tax, that are going to go away with the national health tax, all of these new taxes that they want to put on are going to throw jobs out of this country.

We need to look a little bit deeper. I think that so much of what's happened, particularly in the last year and a half as promises were made, lots of promises were made—a lot of those promises were made in 2006, which have also not been lived up to—the American people are beginning to see that it's easy in a campaign to make promises. It's a lot more difficult once you're in office to fulfill those promises. I think that's one of the things that we're seeing now.

We've seen a tremendous change in our economy since the Democrats took control of the Congress. They keep talking about problems that they inherited, problems that President Obama inherited, but as I said earlier, they conveniently leave out the fact that in '07, '08 and up until this time, they have been in charge of the Congress, both Houses of the Congress. It's the Congress that establishes the budget. It's the Congress that appropriates the money, and much of the problems that we've had have come from the expenditure of money.

I wanted to point out something. I know that we talked today, as you said earlier, about jobs, jobs, jobs and that 134 of us came to the floor today. I think we should have had magnifying glasses to say that we're looking for the jobs that have been promised to us. That's what was promised by President Obama, promised by the majority in the House, but that we ought to talk about the fact that during the month of June alone, the national debt increased by $223.7 billion, and as of June 30, 2009, the national debt had increased $2.9 trillion since the Democrats took control of Congress on January 3, 2007. That works out to an increase of $9,342.83 per person.

We know now that the American people are getting very, very concerned about that debt and about our deficit. And you pointed out the deficit earlier, but we have to keep pointing out to the American people who's in charge, who spends the money, and who's responsible for putting us into the situation that we're in.

Mr. CARTER. That's a good point to look at this chart that another one of my colleagues prepared. He calls it, ''Oh, my,'' OMI, the Obama Misery Index. Those of us who have been around a while remember that the misery index was first created back during the Jimmy Carter administration and was about the misery that was coming upon people by the economic woes of the country. It's basically a combination of unemployment—that's the loss of jobs—and the accumulation of public debt.

Now, as my colleague from North Carolina pointed out, there seems to be an overwhelming trend in this House to blame everything on the Bush administration. So let's just assume for the

sake of assumption—because remember, Obama got elected and sworn in as President in the latter part of January, and so we'll just make February the leftover Bush stuff because that's the next month, and I would say it's a carryover. So the misery index was 11.6 percent. The blue indicates the unemployment numbers, and the red indicates the public debt, how much we owe to other people or to ourselves.

In March, the next month of the Obama administration, we see that our unemployment has risen to what looks to be about 13 percent and our public debt has increased by, I don't know, another 10 percent, something like that. So 21.7 percent in March, from 11.6 to 21.7. In April it jumps to 28 percent, and look at the public debt, and look at the unemployment that's there. The unemployment is the huge figure here. They wonder why we are saying, ''Where are the jobs?''

Look. Wait a minute. Here is May. It has a 36.2 percent misery index. Look at the unemployment figures. They're getting off the page here. This month, 40.6 percent—oh, my, OMI, Obama Misery Index. And look at the unemployment figures, and look at the national public debt. This is just 5 months of the Obama administration. We have gone from a misery index of 11.6 to 40.6.

So somebody says, Why are you asking the question, ''Where are the jobs?'' Well, because unemployment went from 9 percent—it looks like about 9, wouldn't you say—right there to 30 percent, roughly, 31 percent on the index. That's not the percentage of unemployment, but that's the increase.

Now, there's a real good reason because we're asking, ''Where are the jobs?'' I did a telephone town hall tonight, and I got to talk to some real fine people. I actually had kind of an unusual thing.

Junction, Texas, is out west of San Antonio. It's not in my district. In fact, I believe it's in Congressman CIRO RODRIGUEZ's district or it's in LAMAR SMITH's district, but it's not in my district. But the lady who was talking to me, her phone was registered in Temple, Texas, but she was calling from Junction. How that happened on my telephone town hall is anybody's guess. I don't know. I didn't try to figure it out. But I called a number in my district, and I got a lady in Junction. You go figure. I don't know how it worked; all right?

□ 2230

But the lady had something interesting to say. She said, by some people's analysis, we'd probably be one of those rich small businesses that are going to have to pay taxes under this new health care plan.

But although we may handle a lot of livestock and a lot of cash temporarily, the reality is I'd say we're in the category of folks that are just barely scratching through the drought to get by. And what we realize as something we can live on is very meager, along with me and my family and my boys, who are also in our ranching business with us. We get by on a meager amount.

She said, sir, I'm worried that somebody thinks we're rich enough that they're going to put a 1 percent surtax on our small business, which is a ranch.

Now, not everybody lives in Texas and lives in the Southwest, and they may hear the word ''drought'' and think they understand what drought means. But in Texas, we know what drought means because we've lived through a period of time, back in the late 1940s and early 1950s that they wrote a book about it, ''The Time It Never Rained.'' And, in fact, it didn't rain. And cows ate prickly pear cactus, and ranchers went out with burning torches and burned the thorns off the prickly pear cactus so that the cattle would have something to eat, because there was no grass.

And the hard tack folks that settled west Texas and central Texas worked from sunup to sundown and into the night burning what we call burning pear, burning prickly pear so their cattle wouldn't get those thorns in their lips and get infected, and they wouldn't get screw worms and the other things that were the blight of the 1950s until we were able to eradicate that problem. We know what hard times is in Texas because we've been in hard times.

And right now, we're going through a drought. Lake Travis, which is just about 40 miles as the crow flies from my house, is a huge lake. Right now it's a pond. We've got islands everywhere on it. It's the lowest it's ever been in memory, they tell me. I haven't been out to see it because I'm afraid I'd get too upset looking at it. But the LCRA tells me they're in terrible shape for water.

That lady living out in Junction, Texas, she's in terrible shape for water. And so she says to me, sir, not only am I worried about them taking my health plan away from me, making me go on some government plan I don't want to be on, but they're talking about taxing me as if I'm rich, when I'm not. I've got a family, my family and my two boys, or three boys' families running out of this ranch operation, and we're fighting the drought, and we're short on water. And we're losing livestock.

And I said, ma'am, I understand.

She said, that's not all. What they're doing with the fuel of this country, what they're doing with their cap-and-tax scheme that they've got there, I think that's going to make the cost of my farm fuel and my ranch fuel go up, and I'm worried. We cannot survive our fertilizer going up and our fuel going up, all of which comes from the petroleum industry. We can't afford it. We just can't survive it.

And why do they want to do that to us? What did we do to them?

I said, ma'am, I hear you. I'm sorry. You know, all my life I've lived under a system that I believe in. I still believe in it. I think it's important that the rule of law prevail in a constitutional system of government. I think the rule of law is as sacred to democracy and to our Republic as the Constitution is to that Republic, and as the Holy Book is to the church.

And it is imperative to every American that we support the rule of law. It should be sacred to us that says—we say this, I think it is the Rotary Club, but it may be another one of the clubs that says, before their club—we are a Nation of laws, not of men. I think that is extremely important for us to remember as Americans. We are a Nation of laws.

These laws are created by this body and other bodies at the State level. Those laws are not to be circumvented; and no man, no matter how high a rate, how much of the population votes for him, how many people love him, or think he's the greatest, or her, and think they're the greatest thing since sliced bread, they don't have the right nor the ability, nor should we allow them to circumvent our laws because of their programs.

It is our American responsibility to uphold the law. For 20 years I served as a judge of the highest trial court in Texas, at the State level. I did my best to uphold the law. Those laws were written in books, and they were passed by the Texas legislature and they're passed by the United States Congress, and we tried our best to uphold those laws.

The Supreme Court and the court of criminal appeals told us, interpreted the laws for us in Texas and in the United States. And we, as a court, tried our best to follow that direction from our court system, because the rule of law has to prevail.

I am very concerned, and I express this tonight, that procedures and rules are as important to an institution as anything else that there is, because they are the standard by which a group of free men and women decided to govern themselves by law.

Thomas Jefferson, a man held in highest regard, and at least many Democrats call the Founder of their party, even though he called his party the Republican Party at the time. But times change. Thomas Jefferson wrote rules for this House. And one of the rules has been repeated by our President of the United States. We're going to give—and I would point out, our Speaker of the House, when she came in and took her oath and told us how this Congress was going to operate, she said, We will give this Congress every time at least 72 hours to examine a piece of legislation.

Thomas Jefferson said 3 days for any piece of legislation before it's voted on. It should be given to both sides for their examination and preparation for debate. And that 3 days did not include Saturday and Sunday. That's what he—when he wrote the rules for this House, which were followed religiously, I guess you'd say for years and years and

years, decades, that's the tradition of this House. And it has been waived for every major piece of legislation since Barack Obama has been elected President.

As was pointed out on the last piece of legislation we had by JOHN BOEHNER right here on the floor of this House, they dropped 350 pages of amendments to the cap-and-tax bill at 2 o'clock in the morning to be voted on the next day. And that meant that we hadn't seen a completed bill, even at that point in time. And we voted on it the next day.

I'm not here to cry about procedures. I play under the rules that their Rules Committee writes. But I want you to know, when your historical procedures, as American people, are circumvented by this House consistently, every time, you should be concerned about those who do not follow the established rule of law. This should be a concern of the American people.

When the President of the United States and his White House friends go strong-arm the automobile companies into making a deal that circumvents the laws of this land, there's something wrong. And creditors' rights are established laws of this land. And yet the bankruptcy court was perfectly willing to let the parties make an agreement. But the parties were strong-armed by the politicians in the White House, strong-armed and threatened to the point that preferred creditors gave up their rights under the law out of fear, and the preferred creditors became, their rights went to the unpreferred creditors, the labor unions.

□ 2240

Now we have the Government Motors—we used to call it General Motors—that is owned by the Federal Government and by the labor unions, and those people who loaned money as secured creditors for years to General Motors had to take pennies on the dollar because they were strong-armed beyond the rule of law.

I'm sorry. That's not right. If we don't stand for anything in this House, if we let our people down on every vote, if we don't try our best to stand up for the rule of law, then we ought to be ashamed of ourselves. I don't care what party you're in. I respect my colleagues on the other side of the aisle, and in fact, many of them stand up and speak out for many of the things that I stand up and speak out for. I'm not saying this to point the finger at politics. Let's throw politics out the door right now. Let's talk about what our Founding Fathers intended for us to do if we are going to keep this Republic together.

They expect us to set rules and to follow them. They expect us to honor contracts between people. Now, you say to yourself, Well, sure, we honor contracts between people, but I don't know about those big corporations. You know, they're so evil. Maybe we shouldn't have to respect those people.

So, if at a time when the price of oil was $6 a barrel, if the Clinton administration had said, We need to get some money into these coffers here, so we're going to sell some offshore leases, and we really will give you a good deal on these offshore leases if you'll buy them, even though we know you're not going to produce them at $6 a barrel, oil companies would have said, Okay. We'll buy them. They'd buy these offshore leases, pay money for them, continue to pay money for them as the leases progress. Then, lo and behold, the price of oil goes to $100 a barrel or to $80 a barrel. Guess what? They start producing oil out there, and we have those people in this House who say that's an excess in profit, although the Federal Government got what it contracted for, and the oil companies got what they contracted for.

We believe in the sanctity of contracts whether they be between corporations, governments or people. It's what keeps the glue together in our society. Yet we are willing to say we don't care what the contract says; we want it renegotiated, and we're going to put economic pressure on you to do it. That's not the way we are supposed to act. We are supposed to hold the contract sacred, because, in reality, what created our Nation was a contract, a contract called the Constitution of the United States, where the States got together and said we will surrender our sovereignty in a bargain to protect us in our national defense, to work out our disputes of commerce and to make this country one Nation, gathered together from 13 colonies, from 13 States.

That contract is sacred, and every contract that comes therefrom is sacred. Now, if we don't like it, change the law. That's fine. We can do that. But I am concerned when we use the power of political might to strong-arm people out of their rights and out of the laws of our country. If the Republicans do it, I'm going to be just as mad at them as I am at anybody else. It's not a political thing. It's about what is right and what is wrong.

If we don't have rules, if we don't have rules we hold sacred, we are bound for destruction. We've got plenty of issues to keep us busy in worrying about our country without trying to change the rules of the game. Maybe people think that guy's half crazy, standing up there, talking about that stuff, but you know, I believe in this stuff. I believe passionately in the American people, in the Constitution and in the history of this country. You can rewrite it all you want to. It is what it is, and what makes us noble, what makes us fine, what makes us exceptional is that we are willing, for the good of the Nation, to hold certain things important, and I would say the rule of law is what separates us.

I'll tell you a story. I had the opportunity to go with the Foreign Operations Committee down to a very lovely country, to Nicaragua in Central America. When I grew up, and in my college days, I lived with a bunch of ranching boys out in West Texas, and visited several of their operations out there. Being a native Texan, you know, we're all kind of caught up in the magic of ranch life, so I learned a little bit about what good-looking country looks like and what grass looks like and the cattle elite. I looked for how much water is out there that's available for livestock. I looked at Nicaragua and the part of Nicaragua that I went to, and I thought, man, this is some good-looking cattle country. Boy, a fellow could really raise a lot of nice cattle in this country. There's plenty of water. You could even irrigate because they've got water that's less than 18 feet under the ground. Now, you don't drink that water, but you could irrigate with it.

So I started asking the question: Why are these poor folks having such a hard time economically? Do you know why? Because they've never quite established the rule of law. In fact, they don't even have land titles in Nicaragua.

One of the things that they're trying to do with our foreign aid is to somehow establish a method of land titles, a method of saying you bought it; here is your title; you own it, and you can sell it to the next guy. Instead, they have to worry which regime is in power in Nicaragua as to whether or not they get to keep their land. So, after a while, after 100 years of a system like that, people start to not really invest too much in their land because you never know whose land it's going to be next year.

We have the rule of law. We have land titles. We know when we buy our homes, when we pay for them, when they're free and clear, and when our debts are off of them that we own that piece of ground and whatever's on top of it, and we can pass that on to our children. That can be part of our accumulated wealth, which makes the next generation healthier, richer and more prosperous. They don't have that ability, and yet they've got a beautiful place and the potential. What's missing? The rule of law.

It's sad. It's sad to think that a bunch of nice people who need to make that country work are limited by the fact that men and their political strengths are overpowering what they should have, which is the rule of law. I do not mean this as any criticism of the country of Nicaragua, and I hope it's our goal as Americans to try to help them establish the rule of law, especially the rule of land titles. I think it's important. My point is, our forefathers gave us that blessing. When we count our blessings, sometimes we forget that some of it is right there in that constitutional document that we have.

□ 2250

You know, I had somebody from Dell Computer tell me that they—what they

have to sell is what's in their minds, what they have created from their brains. Guess whose country wrote it into their founding document that your intellectual property belongs to you? The United States of America. It is in our Constitution that what you create with your creativity belongs to you and you have an ownership right in it and you can enforce it in a courtroom. The rest of the world is coming around to that.

But what we have been given are so many blessings by forward-thinking people in our past, and I'm here tonight, as we talk about all of these issues of the economy and what's going on, don't let us forget that that is not a country of men. This is a country of laws. And the way we operate on this floor of this House and the way we operate at the courthouse and the way we operate as human beings is governed by the rule of law. And if we ever lose that, we lose our country.

We've got lots of issues going on right now. We've got health care. We've got this cap-and-trade or cap-and-tax bill that's supposed to be protecting the environment. We've got runaway spending. We've got mounds of debt that's mounting up in every direction. The debt figure is unbelievable. And all of these things should be dealt with through this body and its democracy and its democratic principles. That's the way it should be dealt with, the rule of law. And if we do that, we will have met our obligations to the people who sent us here. And I challenge both sides to let the rule of law reign here. Let's don't change the rules. Let's don't stop debate. Let's talk.

Everybody says we need bipartisanship. How can you have bipartisanship if one side writes a 2,000-page bill and the other side doesn't get to do anything but say, ''Yes, I like it'' or ''No, I don't''? How in the world is that bipartisan?

I think our Founding Fathers really thought that you are going to have liberals over here and conservatives over here and you're going to try to address an issue and you're going to sit down at a table and you're going to talk about what you can and can't do, and you're going to come up with a solution. I think that's what they thought we were going to do. We're not doing it right now. And I do honestly believe it would work, and I think there are an awful lot of people that sit in this room every day that feel the same way.

Let's have the courage to do that. Let's follow the direction of our Forefathers. Let's remember our history, and let's start talking to each other instead of imposing our will, one group of men and women imposing their will on another group of men and women. I really don't think that's what we intended when this House was created.

We like to say this is the greatest deliberative body in the world. It is the cradle of the democracy. It's the cradle of freedom, that liberty was born here and thrives here. Well, if liberty's born here and thrives here, it's up to us to continue to keep her breathing and keep her thriving. And I don't believe we do it by ignoring the rules or changing the rules. I believe we do it by working together to come up with solutions.

And probably kind of like the good verdict you get in the courtroom, if you give a verdict in the courtroom and both sides are not completely happy, you've probably got the best verdict you ever could create. But if you've got a verdict that only one side gets everything and the other side gets nothing, it probably wasn't the right thing, nine times out of ten. I was always happy if both sides walked out mad at me. I figured we did a pretty good job because at least both sides had some give-and-take in what happened in the courtroom.

That's where we ought to be in here. When it's over with, both sides ought to say, We didn't get all our way but at least we got something done and we didn't impose the will of man over the rule of law.

I guess I just felt like preaching this late at night. And that's probably enough of all of that.

I do ask that the people back home—I know we're not supposed to address the people back home, but I will say that every man and woman in this House are addressing life-changing issues now and will be in the very near future, that the amount of accumulated job loss and debt is getting critical for all of us whether we are in this House or whether we are at home, and let's all try to work together to come up with something that will work.

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

POPULIST CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. BRALEY) is recognized for 60 minutes.

Mr. BRALEY of Iowa. Mr. Speaker, I'm here tonight on behalf of the Populist Caucus, which is a caucus that I founded this year, along with many of my colleagues, who felt that there was not enough emphasis in this Chamber on discussing values that promote and expand the middle class.

So one of the reasons that we founded this caucus was to find a voice that was going to be consistent in pursuing policies and adopting legislation that we're going to help promote opportunities for middle class families to survive, and also to expand opportunities for people to enter at the middle class because we all feel, and this country's history has shown, that this country does best when we have a large, robust middle class.

And that's why, when we passed the Populist Caucus values, these are the primary things that we wanted to focus on: good jobs, middle class tax cuts, affordable health care, quality education, fair trade, consumer protection, and corporate accountability.

Now, some of those basic values have been part of the ongoing discussion in terms of our health care reform bill that is currently pending in the House of Representatives. And as a member of the House Energy and Commerce Committee and the Health Subcommittee, much of my time this year has been consumed in making sure that the health care bill that we are putting forward addresses these values, particularly affordable health care, consumer protection, and corporate accountability.

So today, the Populist Caucus announced its health reform principles, and I'm going to spend some time tonight talking about those principles, talking about the importance of these principles to middle class families and those seeking to enter the middle class, and then sharing some stories from some constituents of mine back in Iowa's First District who are struggling right now to provide for their families, and address growing health care burdens that affect every American no matter where they live, no matter what they do.

As we have seen over and over and over again, health care costs continue to grow every year. They represent a larger and larger share of our gross domestic product. We see more and more families faced with the burden of bankruptcy because of unsustainable health care costs that aren't covered by their insurance plans. We see more and more Americans without any insurance at all, almost 50 million uninsured Americans. We also see many Americans who are underinsured; that is, they are taking policies out that don't provide them the type of coverage they need because they can't afford either to buy their own coverage if they're self-employed or if they're without employment, or many of them have insurance offered through their employers who are increasingly forced to put more and more of the burden of that insurance coverage on to their employees.

□ 2300

And so one of the reasons why we've been having this national conversation about health care reform is because we have to come up with a system that works for the American people and finally realizes the goal of universal coverage.

Now, some people who have health insurance and are sitting well in their own financial circumstances wonder why should I care about this; this doesn't affect me; this doesn't affect my family. But the reality is that each one of us in this country pays a hidden tax right now of $1,200 a year so that people with no health insurance who go to the hospital emergency room and will be given treatment, because those hospitals cannot turn them away, somebody pays for that care, and we all

pay for it in the form of higher tax burdens and in the form of higher insurance premiums for the coverage that we have.

So that's why this issue is so compelling, and it's something that we have to address, and the sooner we address it the better.

The reason why it affects us all is because 7 out of every 10 cents spent on health care goes to cover chronic diseases, things like diabetes and obesity and all of the complications that can come from them including congestive heart failure, high blood pressure, problems with vision and foot care and on and on and on.

Now, the thing about chronic disease is that most of them are preventable through education and early intervention, and that's why our system right now is broken, because we pay for health care on a fee-for-services basis, which means if you get sick and you seek medical treatment, we will pay for that treatment. But we don't provide incentives to individuals to get healthy before they need a doctor or have to go to the hospital.

And that's why a national health care policy that makes sense has to emphasize prevention and wellness. That has to be one of the cornerstones of how we reduce that enormous burden of chronic disease in this country.

So let me start by briefly reviewing the Populist Caucus health care reform principles, and then I will spend time talking more about the details of each one.

The first goal of the Populist Caucus in addressing health care is providing more affordable health care, and we recommend a values system in this health care bill that ensures that every American has access to affordable, quality health care coverage. Now, that sounds simple in theory. In reality, it is a challenge that has faced this country since its founding.

The second component of our health care reform principles for the Populist Caucus centers around choices for families, populist values. The first aspect of our values for health care reform under choices for family is keep your coverage if you like it, and that is included in the House version of the health care reform bill. It allows consumers to keep their current coverage if they like it.

So if you have an employer who's currently providing you high-quality health care at an affordable price, like maybe a company like John Deere which employs many people in the First District of Iowa, nothing in this health care reform bill is going to change your ability to keep that coverage. If you like it, you get to keep it.

Second, one of the most important factors in choices for families is no discrimination, and you have to have a populist value that says, in insurance coverage, you have to eliminate discrimination that allows insurance companies to exclude people from coverage based upon preexisting conditions.

Now, we know this is an enormous problem in many different ways. There are millions of Americans who are denied health insurance coverage right now because of preexisting conditions.

I have a nephew who lives in Malcolm, Iowa. He has a young son tamed Tucker Wright, and when Tucker was a year and a half, he was diagnosed with liver cancer, and he was very, very fortunate that he was diagnosed and had an opportunity to have two-thirds of his liver removed at a very young age to save his life. But Tucker also faces a very bleak future because he has a long history, a long life of expensive medical care ahead of him.

Many of the existing health care policies have a cap on lifetime benefits; and once you meet that cap, you get no more coverage, no matter how sick you are, no matter how old you are, no matter what your medical needs are. And if you have been diagnosed with a serious disease like liver cancer, and your family wants to move or your parents want to look at other job opportunities right now, there's very little chance that you're going to be able to make that switch and get coverage because they will write an exclusion in the policy based upon preexisting conditions that say we're not going to cover you because you have this expensive treatment.

That's one of the major problems with health care in America today, and it's not just on access to care. It has enormous implications for employers and employees because right now in this country, literally hundreds of thousands, if not millions, of workers are working in jobs they don't like. And the only reason they're there is because those jobs offer them some level of health care coverage, and they know that if they leave the job they have, there's a very good chance that a family member, a loved one, won't be able to get coverage under a new plan at a new employer because of preexisting conditions.

And this bill that we are considering in the House right now eliminates discrimination in health care coverage based upon preexisting conditions.

One of the other very important elements of our Populist Caucus family values emphasis is including a robust and meaningful public health insurance option that operates on a level playing field with private insurance companies, increases consumer choice through a public option for insurance coverage that does these things—and these are critical achievements—one, competes on a level playing field; two, maintains minimal levels of coverage that ensure quality care for its enrollees.

And in the House plan, there are three basic forms of coverage that will be available: a basic plan, an enhanced plan, and a premium plan. And then there will also be something called the premium plus plan, and all of those plans will provide a minimal level of coverage designed to provide basic and emergency types of health care coverage for every person in America.

Another component that emphasizes these family values of the Populist Caucus is that this public plan option must reimburse health care providers adequately and equitably, and we're going to spend some time talking about what that means.

Another family value in the Populist Caucus health care package, it helps address current geographic disparities in health care. This is one of the most significant challenges that we face and one of the most significant problems with our health care delivery system.

Another key family value is that the existing infrastructure of Medicare which will be used under the current plan, a Medicare plus 5 percent reimbursement payment system, that that existing infrastructure has to be used to create a viable provider network; but it should only use Medicare as long as improvements are made in the way that Medicare's reimbursement structure and geographic disparity issues are addressed, and I'm going to be spending time talking about the challenges that we face and the problems we currently have in Medicare reimbursement.

Now, I want to move on to another key component of the Populist Caucus health care values: saving taxpayers money. Every medical economist who looks at our current health care delivery system is in agreement that the number one problem is a problem called overutilization, using too many medical services that aren't necessary, that waste money and result in worse outcomes. We have to address the problem of overutilization of care. It creates unnecessary costs and adds hundreds of billions of dollars and can lead to harmful medical errors.

Now, medical economists at the Dartmouth Atlas Project and places like the Commonwealth Fund who have looked at this estimate that every year in our health care delivery system we lose between $500 billion and $700 billion every year due to overutilization, and they have also analyzed patient outcomes arising from that overutilization, and the figures are shocking.

They estimate that every year 30,000 people die in this country because of too much medicine that exposes them to risks and actually results in their death. There are hundreds of thousands more who are injured because of overutilization, and it's not achieving the desired goal of medicine, which is to cure patients who need help and to provide it in a meaningful fashion.

□ 2310

One of the other concerns about saving taxpayer money is emphasizing prevention and quality care. We have talked about that. We need to shift to a health care delivery system that moves toward incentives, toward high-quality care prevention, nutrition, and wellness. And we have to reform Medicare part D, the drug package for seniors and people on Medicare. One of the most essential components of that is to

close the doughnut hole, give Medicare the ability to negotiate with drug manufacturers, and to seek rebates for all Medicare beneficiaries from those pharmaceutical manufacturers.

Now I want to talk for a moment about this problem that I mentioned called geographic disparities in payment for health care. This chart was prepared by The Commonwealth Fund to focus on the relationship between the quality of care and Medicare spending.

So, on this bottom axis it provides cost numbers to show annual Medicare spending per beneficiary in dollar amounts for every State in the country and places them on the chart according to that axis. The vertical axis has an overall quality ranking. And those quality rankings are taken directly from Medicare administrative claims data and the Medicare Quality Improvement Organizations Program data. So it's information already collected by Medicare.

The chart numbers are shocking in terms of showing the existing disparity in how we pay for Medicare and the direct correlation between how much we spend and the quality we get for our Medicare dollars.

Many of us who represent States who are up in the top 5 to 10—not top 5 to 10 percent, but the top 5 to 10 in rankings, these States right here inside this pink circle, States like New Hampshire, Vermont, Maine, North Dakota, Iowa, Wisconsin, Utah, Minnesota, Oregon, and Montana, are consistently providing the highest quality of care to Medicare patients at the lowest cost, because they also rank in the bottom 5 to 10 States in Medicare payments per beneficiary.

Then, contrast with what we see at this end of the chart. This chart reveals that the most expensive of States in terms of what we pay for Medicare per patient is the State of Louisiana, where we pay right now about $8,500 per patient. Guess which State is also ranking 50th in terms of quality outcomes, according to Medicare data? Louisiana.

That is the hallmark of an inefficient payment system for health care delivery and it's a symbol of what is wrong with our health care payment system in this country. That's why we have to address this problem of over utilization, which is directly driving up these costs; rein in unnecessary and wasteful spending so we can use those savings to pay for a comprehensive health care reform package that provides access to care for all Americans.

So I want to move on and talk about some of the stories from my district that have shaped my commitment to making change in health care delivery.

Since I was elected to Congress in 2006, and was sworn in in 2007, I have received almost 12,000 letters and e-mails on health care. Health care is the number one issue that my constituents write to me about. And this year alone, I have received over 4,000 letters and e-mails relating to health care. In fact, this small stack represents just a small portion of my constituents who have had serious issues with our health care system. And just in my hand I have over 200 stories from constituents of mine who have taken the time to write to me and explain their frustrations and concerns with our health care system.

These stories are the backdrop and provide the compelling evidence on why we need true health care reform in this country.

So let me start with this compelling story from Sandy Ingram in Davenport, Iowa, which is right on the Mississippi River, beautiful old city in Iowa, largest city in the First District.

Sandy starts her story: My story is not unlike many others who are struggling with their health insurance problem. In August of 2007, I was diagnosed with stage III breast cancer. Until that time, I was rarely ever ill, and I looked forward to retiring, like most other women in their sixties.

Until January 31, 2009, I worked for a company and was employed as an executive assistant to the CEO. I raised three children, all now educators, as a single mom and I finished a four-year degree at St. Ambrose University.

In the spring of 2007, I had my usual mammogram, and I told the technician I had a sore spot, and she made note of it. It came back as no change. As the weeks went by, it became more pronounced and painful, and I went to a nurse practitioner, who sent me for another mammogram immediately.

Over time, it was discovered that my mammogram test was positive and I received a call at my office with the news that every patient dreads: I'm sorry to tell you that you have cancer.

I set up an appointment with the surgeon and, with the help of my nurse practitioner, I found a wonderful young surgeon, Dr. Melinda Hass of Trinity Hospital. I met with her, went through all the necessary workup, and later received a followup phone call saying my cancer was much worse than they thought, and I could have cancer in both breasts. They found out the cancer had spread to my lymph nodes, and so I began chemotherapy.

The beginning of the third week, my hair began to fall out in the shower. I shaved my head, bought some caps and scarves, and moved on. I worked throughout the chemo by scheduling time off and going to work when I began to turn the corner from the side effects.

In December 26, 2007, I had bilateral breast surgery to remove both breasts. I made this difficult decision because I didn't want to have the chance of reoccurrence in the other breast. During the surgery, 22 lymph nodes were removed. However, 17 of the lymph nodes still had cancer. The feeling that I had that morning still gives me chills. My fight wasn't over yet.

I underwent another round of chemotherapy a few weeks after the surgery, followed by 36 radiation treatments. I was physically spent and took a medical leave of absence and returned to work in August of 2008, ready to hit the ground running. Needless to say, I love my job, the people that I worked with, and was looking forward to being there until I was old enough to retire.

I was so pumped up that I unlocked my office door and prepared for a busy day when I came back to work. About an hour later, I had a phone call from a friend in customer service saying their assistant had just been let go. A few minutes later, my phone rang and it was my boss, asking me to come to the conference room upstairs.

What happened is my boss greeted me with tears in her eyes, a big white envelope in front of her. Seated at the table was the VP of manufacturing and the two of them broke the news to me that my job had been eliminated. It was only weeks after I had been declared cancer free by the 60-day checkups.

I was stunned. They both assured me it had nothing to do with my performance. The response was predictable. They told me that I would have to leave the building immediately and could return to the office later to pack up my office. Everybody in the whole office was very shaken.

So now I'm unemployed. I have unemployment insurance and through COBRA continue to pay for health insurance on my own. That will last through July of 2010. At that point I will have to have some kind of insurance until my 65th birthday in November of 2010.

□ 2320

I continued to look for a new position. I have applied for several and may try to work part time to help pay for the COBRA coverage. I have done research about getting further coverage, and I have found I cannot get coverage due to my preexisting condition. There is some kind of stopgap health coverage through HIP of Iowa; however, since I paid health insurance premiums for nearly 20 years, I feel I should be able to keep it until I am old enough for Medicare. Health care reform is essential to all Americans. The time is now, and I am willing to help tell my story to get the bill passed.

Here is another story. This one is from Elle in northeast Iowa. She is 1 year old and has been diagnosed with cystic fibrosis. Her family had COBRA insurance, which is an extension of your insurance after you leave your job until you find more employment, from her dad's former employer in Minnesota. Her dad's employer offered a more affordable plan to the family, but when they realized the family resided in Iowa, they reversed the offer. Because of Elle's diagnosis, this family was unable to get private insurance in Iowa.

Her mother quit her job so that their income would decrease enough to get Elle on Medicaid. Quite understandably, Elle's parents are frustrated because they believed they shouldn't

have to quit their jobs to get health care coverage for their daughter. They believe that insurance needs to be accessible for all children, including those with chronic health conditions, and that is one of the number one objectives of the health care reform bill we're considering right now.

Here is another contact I got from Mark in Davenport. Mark was doing insulation in his mother's home so that she could take advantage of some energy savings rebates, which is something every American should be encouraged to do. Unfortunately, while Mark was putting the insulation in his mother's home, he fell through the ceiling and severely injured himself, suffering a collapsed lung, broken ribs, and dislocating most of the ribs from his vertebra. He was lucky to survive, but he had no health insurance because he was a self-employed private contractor. His medical bills were over $20,000, and because of those high costs, he was forced to file for bankruptcy so he could get out from under his debts.

Here is another contact from Cynthia in Denver, Iowa, who 3½ years ago lost her husband to diabetes and heart disease. Since then, she's had to deal with major debts because they, like millions of Americans, did not have health insurance. When they tried to get coverage, they were told that because of her husband's preexisting condition, they would have to pay for premiums for a year without coverage for those claims. She continues to be without coverage because she is still paying off the bills from her husband's doctor and hospital costs.

Here is another story from Gus in Waverly. His daughter Jamie lives in Des Moines and works for a life insurance company. Jamie, like many Americans, has cerebral palsy and is confined full time to a wheelchair. But even with her limitations, Jamie chooses to work, and the only type of insurance help that she gets is through a Miller Medical Trust that allows her to work, but she can't work full time.

Because of the limitations of that trust, she has lost a much-deserved promotion. She hasn't taken a pay raise in years so she can choose to work and be a taxpaying citizen. Many of her advisers and social workers have told her that she should just go on full disability and her benefits would increase and be easy to get since she qualifies as a quadriplegic; yet Jamie is a perfect example of the American spirit. She wants to work, and she continues to work and does everything she can.

Her father doesn't understand why we would punish people like Jamie who want to work but still need critical access to health care. Let them earn more money that pays more taxes and help them support their own services. Who could argue with that? And that's what we want to do with comprehensive, meaningful health care that addresses these Populous Caucus values.

Here is another letter from Julie in Cedar Falls, Iowa. Several years ago when Julie was mowing her lawn, she was severely injured when a bolt on the lawnmower cut her arm. She had to go to the emergency room for stitches. Later she learned that her emergency room visit was not covered by her health care coverage because, according to them, she should have waited to cut her arm when the doctor's office was open instead of visiting the emergency room. Given the severity of her wound, she couldn't have waited until Monday to see her doctor. The emergency room was the only option available for her at the time. Julie believes that the problem with health insurance companies is they look for any excuse to deny payment for an existing claim.

This is a letter from Mic in Davenport who was born with congenital heart disease. Mic has had three open-heart surgeries, the first at age 3 weeks, the second at 16, and the last at age 45. He owns his own company, employs 11 people, and provides group health insurance to his employees because it's the right thing to do, but also because he can't buy an individual health insurance policy with his congenital heart disease because it would be a preexisting condition.

Mic says, We're charged at the highest rate possible, and our rates go up by the maximum amount allowed per year because of my heart disease. In the past 2 years, we've risen to 60 percent and 75 percent increases. In order to keep providing insurance to my employees, I will have to drop out of the program next year to keep the rates manageable.

This story is from Randal Wehrman from LeClaire, Iowa. His wife, Beth, died from pancreatic cancer in August 2008 at the age of 56. And like many couples, during her illness, Randal had his own health emergency. He was diagnosed with prostate cancer, and as he describes it, we were launched into a health care arena and were impacted dramatically by how our health insurance performed.

Randal, like many Americans, tells me that he was reasonably satisfied before this point with how his health care insurance carrier had functioned. His wife was a registered nurse, so she was a very good medical consumer. He was in the property and casualty insurance business and had been a certified paramedic in the State of Iowa for the last 25 years, and as he notes, this would suggest that Beth and I were above average medical consumers. It also means, according to his background and his business, including a BA with a business administration degree from Simpson College, that he would have been an above average medical insurance consumer.

Here is the problem: Even though the Wehrmans' health care plan said it had a maximum out-of-pocket of $1,500 per person in network and $3,000 per person out of network, we paid just over $10,000 out of pocket during calendar year 2008 for our health care. Here is how Randal describes it:

''You see, one has to read the fine print to find out doctor office copays, prescription copays and emergency copays do not fall under the maximum out-of-pocket expenses referred to in the bold print. While Beth's care included an out-of-pocket network expenses, mine did not, which means that we spent an additional $5,500 of out-of-pocket items that were not included in our limits. We are fortunate that we could pay the additional, although not easily, but some cannot. For some, this situation could be financially devastating. And we know that by the high number of medical expense-related bankruptcies we see every year. This should be clearer and more concise, as it can have a substantial impact on the financial futures of many citizens.''

Well, Randal, you are absolutely right, and one of the reasons why I introduced a bill to incorporate plain language into every insurance policy sold under the national health insurance exchange that's part of this health care bill is because I have had my own experience, not just as a consumer of health care, but helping clients, in the 23 years I practiced law before I came here, who had disputes with their insurance companies over coverage benefits.

One of the things I learned is that when you force insurance companies to write those policies in language that insureds can understand, you eliminate the type of confusion that highly sophisticated health care consumers, like Randal and Beth Wehrman, brought to the table and still wound up with unfair treatment based upon language in their policy that was difficult to understand and not part of the clearly stated coverage.

□ 2330

I'm very proud of the fact that my plain language amendment is incorporated in the American Health Care bill that we are currently considering in the House of Representatives. And I want American health consumers like Randall and Beth Wehrman to be able to look at that policy and see it written in language that is specifically intended to be understood by them so they have a deep appreciation for what they have, and they also have the ability to go into that National Health Insurance Exchange and compare it to other policies that provide the same basic types of coverage and say, is this policy a better policy for me than the one next to it? Does it provide better coverage? Does it have fewer exclusions? Does it cost less? And will it guarantee me the access to health care that my family needs? That's one of the major focuses of the populist values approach to health care reform.

So what else is important? Well, we spent time talking about how we can move from a system that rewards volume of medical care to a new model, a new system that rewards value outcomes. And we pay for performance.

And I am very proud to be introducing an amendment, along with my friends LEE TERRY from Nebraska, a Republican, and BART STUPAK from Michigan, who is the Chair of the Oversight and Investigations Committee on the Energy and Commerce Committee, the Medicare Payment Improvement amendment, which has a very simple goal, to increase the quality of health care in America and create long-term substantial cost savings.

So what will this amendment do? Well, it starts by restructuring the Medicare payment system that I talked about earlier, by finally adding an incentive for physicians to provide high-quality care and decrease costs. And the way the bill does it, it adds a figure that measures value and includes it in the Medicare reimbursement equation. That value figure measures both quality of care and the cost of care, two components that directly relate to the overutilization of medical services that dries up our national health care costs.

One of the things we know is that regions that provide high-quality care at low cost will see their Medicare reimbursements improve and increase because it's a reward for providing value in the system. In contrast, regions that provide low-quality care at high cost will see their reimbursements decrease.

Now, this may come as a shock to most people, but that's the way an economic system is supposed to work: you provide incentives so that people in a marketplace who provide the highest quality at the lowest cost will create the most demand and drive consumers to their product or services. Every student of economics 101 can tell you that's the way economic models are supposed to work in this country.

But our health care payment system is flawed and it's reflected in this chart, and it's reflected in the hundreds of billions of dollars of waste in the system.

Now, one of the things that we can do is to shift from a fee-for-service reimbursement model to one that rewards quality and shifts the focus to provide efficient care.

Now, a lot of people mistakenly believe that when you're talking about efficiencies, you're only talking about cutting cost. That is not what I'm talking about, and that is not what the Populist Caucus values are based upon, because true efficiency in a health care delivery system is a system that consistently provides the lowest possible cost for the highest possible value over the lifetime of a patient's care. That is efficiency in health care delivery.

So this bill, the Braley-Terry-Stupak Medicare Payment Improvement amendment accomplishes that and provides a transition from our current quantity-based system to a value-based system.

How do we do that? Well, here's how: our amendment instructs the Secretary of Health and Human Services to measure quality and cost for hospital fee schedule areas, which have already been established, or other more narrow areas if the Secretary deems that appropriate. That could include hospital referral regions or even on down to the individual provider.

Two, our amendment instructs the Secretary to create a quality component to measure quality and to do that in consultation with the already existing Agency for Health Care Quality and Research, and an advisory group consisting of health care providers, health care plans, and other government agencies and other knowledgeable entities, including consumer groups that have knowledge about how to build efficiency and reward value.

Three, the Braley-Terry-Stupak Medicare Improvement amendment ensures an open and transparent process in the development of this quality component. And during some of our conversations about how you could possibly do this, we hear concerns expressed from people in this part of the country: you're not taking into account this factor. We hear concerns expressed from people in another part of the country: you're not taking into account this factor.

Well, the harsh reality is the medical economists who've been studying this issue for decades have already looked at every possible racial, ethnic, socioeconomic, regional, cost-of-living, cost-of-workforce factor and can find nothing to justify the reimbursement disparities we see right now.

To give you an example of that, one of the most significant factors contributing to overutilization in this country is what we pay for end-of-life care. And one of the things that researchers have discovered is spending more for end-of-life care does not yield better results and does not make people more satisfied and their families more satisfied with the care that they got. And, in fact, the exact opposite is true.

So let's talk about geographic disparities and how it relates to this problem of overutilization. Researchers and medical economists who looked at the last 2 years of spending in the life of Medicare patients at Garfield Hospital in Los Angeles, concluded that, on average, we were spending $106,000 per Medicare patient in the last 2 years of their life. That was contrasted with the Mayo Clinic in Rochester, Minnesota, 2 hours from where I live, another world class medical facility, a teaching hospital. At the Mayo Clinic, patients in their last 2 years of life, Medicare paid, on average, $33,000, a three-fold decrease from what's being spent in Los Angeles.

And you can look at all those other factors I laid out earlier, and none of them can justify that kind of a payment disparity. And, in fact, when you look at the regions of the country that are spending the most on those last 2 years of patient care in a patient's life, and you look at the quality assessments that are used, you'll learn that patients in the areas that spend much less are much more pleased with their quality of life at that end-stage phase because more attention is placed on providing hospice care, providing a way for those patients to interact with their family on a meaningful basis, to be able to return to their homes and spend as much time there as possible without a lot of unnecessary tests and medical procedures that are very costly and do very little to improve the length of the patient's life or the quality of their life.

□ 2340

That's why this bill, this amendment—the Braley, Terry, Stupak Medicare Payment Improvement amendment—focuses on how we motivate health care providers to get better outcomes, to spend less and to get better quality care.

So, going back to my example, according to the 17 existing quality factors that Medicare uses to assess facilities, the Mayo Clinic ranked above Garfield Hospital in every single one of those quality assessments. That is what we're focusing on—quality outcomes at the best possible price over the life of a patient. That is efficiency.

Another component of the Braley, Terry, Stupak Medicare Payment Improvement amendment is that it instructs the Secretary to create a cost component to measure cost based upon the hospital fee schedule area or upon other more narrow areas. That cost component is the cost per Medicare beneficiary compared to the national average, which should be a reasonable thing for anybody looking at how we spend money and at how we decide who is outside the norm, who is below the norm, and whether they're getting the types of results that they should.

The Braley, Terry, Stupak Medicare Payment Improvement amendment also includes a risk adjuster in determining the cost component. This ensures that any area with a significant at-risk population—high rates of obesity and other socioeconomic risk factors that bill into the system—shall have them taken into account when determining the cost for that area.

Then the sixth component is to provide a transitional period from 2012–2014 when this quality cost figure is applied to the Medicare part B reimbursement equation in place of the current work geographic practice index. The work gypsy, as it's known, is currently used to measure the value of a physician's work only through the amount of inputs. Our amendment shifts the emphasis to a measure of value that is quality and cost.

So you may be asking yourself: Well, how in the world do you measure for quality in a system that has so many variables? Here is how the Braley, Terry, Stupak Medicare Payment Improvement amendment measures quality:

First, we look at health outcomes and at the health status for the entire Medicare population. We also focus on patient safety, which could fill up another hour by itself. Why? Because the

Institute of Medicine has published three seminal reports on patient safety, and it has identified the enormous problem in this country with patient safety. In fact, the Institute estimates that, every year, as many as 98,000 patients die because of preventable errors. This is the Institute of Medicine, which is not a partisan entity. They also estimate that, each year, over 1.5 million medication errors occur and that every hospital patient is subjected to some type of medication error every day they're in the hospital.

Patient satisfaction. This gets back to what we were talking about with end-of-life treatment. Increasingly, how patients receive care and respond to care is directly related to how they perceive their access and quality of care. It also measures hospital readmission rates because we know that one of the biggest drivers of cost is that of patients who are discharged from the hospital and who are later readmitted for conditions that may have been prevented if there had been better information communicated to them or if there had been better coordination of care upon their discharge.

Another factor we look at is mortality related to health care. Are patients dying in greater numbers as a complication of a specific problem? We know, for example, that hospital infections are an enormous problem. They lead to many hospital readmissions, to prolonged patient stays, to increased costs of care, and in the worst outcomes, to death. We also know that many hospital infections are entirely preventable from standard, simple precautions like hand-washing procedures that are not only adopted but that are enforced.

Then other things that we use to measure quality are other items determined by the Department of Health and Human Services, and if the advisory group has other recommendations, we certainly want the Secretary to take those into account.

How do you measure cost? Well, the cost component is measured through the total annual, per-beneficiary Medicare expenditures under part A for that area, and it also allows the Secretary to use other methods if it's appropriate.

So how much cost savings are we talking about? Hundreds of billions of dollars. We know that, by changing the incentives away from a fee-for-service toward a fee-for-high-quality and low-cost model, we create incentives for health care providers to improve their outcomes and to decrease their costs. We can use those cost savings to build a health care system that truly is universal and that helps us all.

Nobody said this challenge would be easy. Yet those of us who are committed to comprehensive, universal health care that is paid for, that is reliable, affordable, efficient, and high quality are committed to spending the time necessary to improve this bill and to make it work the way it needs to work. It has to work if we are to function as a country.

So I ask you to join the Populist Caucus, to call your Representative or your Senator and to make sure that they know how important health care is to you, just the way my constituents called me, wrote me and sent me e-mails.

This is a challenge. The time has come for bold action. Americans deserve better. Americans demand better, and it is our responsibility in this Chamber, Mr. Speaker, to finally deliver on the promise of health care for all that is high in quality and that is low in cost.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LUCAS (at the request of Mr. BOEHNER) for July 20 on account of bad weather and travel delays.

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. LYNCH) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. SOUDER, for 5 minutes, today.

Mr. JONES, for 5 minutes, July 28.

Ms. FOXX, for 5 minutes, today.

Mr. BILIRAKIS, for 5 minutes, today.

Mr. BROUN of Georgia, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 11. 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; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. BRALEY of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 22, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2745. A letter from the Acting Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Common Crop Insurance Regulations, Basic Provisions (RIN: 0563-AC23) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2746. A letter from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting notification that the Office has designated thirteen new counties in eight states as High Intensity Drug Trafficking Areas (HIDTA), pursuant to Public Law 109-469; to the Committee on Appropriations.

2747. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the System's annual report to the Congress on the Presidential $1 Coin Program, pursuant to 31 U.S.C. 5112 Public Law 109-145, section 104(3)(B) (119 Stat. 2670); to the Committee on Financial Services.

2748. A letter from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Special Assessments (RIN: 3064-AD35) received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2749. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Interest Rate Restrictions on Insured Depository Institutions That Are Not Well Capitalized — received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2750. A letter from the Acting Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

2751. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

2752. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

2753. A letter from the Inspector General, Department of Commerce, transmitting the Inspector General's semiannual report to Congress for the reporting period October 1, 2008 through March 31, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2754. A letter from the President and Chief Executive Officer, Federal Home Loan Bank Seattle, transmitting the 2008 management report of the Federal Home Loan Bank of Seattle, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2755. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the 2008 Statements on System of Internal Controls of the Federal Home Loan Bank of Topeka, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2756. A letter from the Inspector General, General Services Administration, transmitting the Administration's semiannual report from the Office of the Inspector General during the 6-month period ending March 31, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2757. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Elephant Trunk Scallop Access Area to General Category Scallop Vessels [Docket No.: 070817467-8554-02] (RIN: 0648-XP59) received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2758. 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 Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XP60) received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2759. 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 Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Catcher Processor Rockfish Cooperatives in the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XP57) received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2760. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Suspension of the Primary Pacific Whiting Season for the Shore-based Sector South of 42 degrees North Latitude [Docket No.: 090428799-9802-01] (RIN: 0648-XP43) received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2761. 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 Northern United States; Tilefish Fishery; Quota Harvested for Full-time Tier 2 Category [Docket No.: 010319075-1217-02] (RIN: 0648-XP65) received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2762. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Designation of Critical Habitat for Atlantic Salmon (Salmo salar) Gulf of Maine Distinct Population Segment [Docket No.: 0808061060-9710-02] (RIN: 0648-AW77) received July 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2763. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Determination of Endangered Status for the Gulf of Maine Distinct Population Segment of Atlantic Salmon [Docket No.: 0808191116-9709-02] (RIN: 0648-XJ93) received July 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2764. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's activites regarding prison rape abatement during calendar year 2007, pursuant to 42 U.S.C. 15604 Public Law 108-79, section 5(b)(1); to the Committee on the Judiciary.

2765. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — July 20029 Revision of Patent Cooperation Treaty Procedures [Docket No.: PTO-P-2009-0025] (RIN: 0651-AC34) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2766. A letter from the Secretary, Department of Energy, transmitting an annual report concerning operations at the Naval Petroleum Reserves for fiscal year 2008, pursuant to the Naval Petroleum Reserves Production Act of 1976, pursuant to 10 U.S.C. 7431(C); jointly to the Committees on Armed Services and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TOWNS: Committee on Oversight and Government Reform. H.R. 22. A bill to amend chapter 89 of title 5, United States Code, to allow the United States Postal Service to pay its share of contributions for annuitants' health benefits out of the Postal Service retiree Health Benefits Fund; with an amendment (Rept. 111–216). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCURI: Committee on Rules. House Resolution 665. A resolution providing for consideration of the bill (H.R. 2920) to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration (Rept. 111–217). 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. FRANK of Massachusetts (for himself, Mr. PETERS, Ms. KILROY, Mr. WATT, Mr. CAPUANO, Mr. AL GREEN of Texas, Mr. SHERMAN, Mr. CARSON of Indiana, Mr. GUTIERREZ, Mr. ELLISON, and Mr. HINOJOSA):

H.R. 3269. A bill to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions; to the Committee on Financial Services.

By Mr. BISHOP of New York (for himself and Mr. ISRAEL):

H.R. 3270. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add New York to the New England Fishery Management Council, and for other purposes; to the Committee on Natural Resources.

By Mr. BLUMENAUER (for himself, Mr. KIRK, and Mr. MCGOVERN):

H.R. 3271. A bill to amend the Internal Revenue Code of 1986 to improve commuting and transportation options; 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. ELLISON:

H.R. 3272. A bill to amend the Securities Exchange Act of 1934 to add requirements for board of directors committees regarding risk management and compensation policies, to require non-binding shareholder votes on executive compensation, and for other purposes; to the Committee on Financial Services.

By Mr. HOLT (for himself, Mr. HIGGINS, and Mr. LEE of New York):

H.R. 3273. A bill to require the implementation of certain recommendations of the National Transportation Safety Board, to require the establishment of national standards with respect to flight requirements for pilots, to require the development of fatigue management plans, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER (for himself, Mr. MCCARTHY of California, Mr. WITTMAN, Mr. FLEMING, Mr. ROONEY, and Mr. FRANKS of Arizona):

H.R. 3274. A bill to amend the National Voter Registration Act of 1993 to provide members of the Armed Forces and their family members equal access to voter registration assistance, and for other purposes; to the Committee on House Administration, 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 Ms. MARKEY of Colorado (for herself and Mr. SMITH of Nebraska):

H.R. 3275. A bill to amend the definition of commercial motor vehicle in section 31101 of title 49, United States Code, to exclude certain farm vehicles, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY of Massachusetts (for himself and Mr. UPTON):

H.R. 3276. A bill to promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes; to the Committee on Energy and Commerce.

By Ms. MOORE of Wisconsin (for herself, Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Ms. EDWARDS of Maryland, Mr. FILNER, Ms. NORTON, Mr. MASSA, Mr. RANGEL, Mr. SESTAK, Mr. SIRES, and Mr. STARK):

H.R. 3277. A bill to amend the Child Nutrition Act of 1966 to establish a program to improve the health and education of children through grants to expand school breakfast programs, and for other purposes; to the Committee on Education and Labor.

By Mr. OBERSTAR:

H.R. 3278. A bill to provide for a hospital in Cass County, Minnesota; to the Committee on Ways and Means.

By Mr. RODRIGUEZ:

H.R. 3279. A bill to amend title 38, United States Code, to establish in the Department of Veterans Affairs centers of excellence for rural health research, education, and clinical activities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RODRIGUEZ:

H.R. 3280. A bill to direct the Secretary of Veterans Affairs to establish a grant program to assist veterans in highly rural areas by providing transportation to medical centers; to the Committee on Veterans' Affairs.

By Mr. RODRIGUEZ:

H.R. 3281. A bill to direct the Secretary of Veterans Affairs to carry out demonstration projects related to providing care for veterans in rural areas; to the Committee on Veterans' Affairs.

By Mr. RODRIGUEZ:

H.R. 3282. A bill to direct the Secretary of Veterans Affairs to provide certain veterans with readjustment and mental health care services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RODRIGUEZ:

H.R. 3283. A bill to amend title 38, United States Code, to allow for reimbursement of certain travel at a set rate, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHERMAN (for himself, Mr. ROYCE, and Mr. KLEIN of Florida):

H.R. 3284. A bill to prohibit the heads of executive agencies from entering into or renewing procurement contracts with persons that export certain computer or telecommunications technologies to Iran, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SNYDER:

H.R. 3285. A bill to amend that portion of title 28, United States Code, commonly called the Tort Claims Act, in order to assure that individuals accompanying Federal employees who are engaged in missions for the United States Government in foreign countries have legal recourse against the Government for certain tort claims, and for other purposes; to the Committee on the Judiciary.

By Mrs. MALONEY (for herself, Ms. SPEIER, Mr. BOUCHER, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Mrs. CAPPS, Ms. BALDWIN, Ms. MATSUI, Mr. MEEK of Florida, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. LOEBSACK, Mr. YARMUTH, Mr. TIERNEY, Mr. INSLEE, Mr. ACKERMAN, Mr. FARR, Mr. LARSEN of Washington, Mr. SARBANES, Ms. DELAURO, Ms. ZOE LOFGREN of California, Mr. PETERSON, Mr. OLVER, Ms. WATSON, Mr. SHERMAN, Mr. KENNEDY, Mr. ELLISON, Ms. HIRONO, Ms. WOOLSEY, Ms. TSONGAS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. RICHARDSON, Mr. FATTAH, Mr. CROWLEY, Mr. JOHNSON of Georgia, Mr. BRALEY of Iowa, Ms. HERSETH SANDLIN, Mr. ISRAEL, Mr. SIRES, Mr. EDWARDS of Texas, Mr. CLAY, Mr. MOORE of Kansas, Mr. WAXMAN, Mr. CARSON of Indiana, Mr. ENGEL, Mr. DINGELL, Mrs. BIGGERT, Ms. DEGETTE, Mr. LOBIONDO, Mr. HIGGINS, Mr. WEXLER, Mr. STARK, Mr. COHEN, Mr. GRAYSON, Mr. FILNER, Mr. CUELLAR, Ms. KILROY, and Ms. LORETTA SANCHEZ of California):

H.J. Res. 61. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MORAN of Kansas:

H. Res. 663. A resolution expressing the sense of the House of Representatives that any savings under the Medicare Program should be invested back into the Medicare Program, rather than creating new entitlement programs; 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. CLAY (for himself, Ms. KILPATRICK of Michigan, Mr. CUMMINGS, and Ms. FALLIN):

H. Res. 664. A resolution congratulating and honoring Barnes Jewish Hospital, Henry Ford Medical Center, Johns Hopkins Hospital, and Integris Baptist Hospital for the completion of a successful 16 person kidney transplant; to the Committee on Energy and Commerce.

By Mr. WOLF (for himself, Ms. BORDALLO, Mr. COOPER, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. RANGEL, and Mr. SESTAK):

H. Res. 666. A resolution recognizing Project HOPE for 50 years of exceptional service to improve and save the lives of millions of children and adults in developing nations through humanitarian assistance and health education; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. LYNCH.
H.R. 39: Mr. SARBANES.
H.R. 197: Mr. RYAN of Wisconsin.
H.R. 204: Mr. KENNEDY and Ms. CASTOR of Florida.
H.R. 275: Mr. BURTON of Indiana, Mr. REYES, and Ms. GIFFORDS.
H.R. 406: Ms. DELAURO.
H.R. 413: Ms. WASSERMAN SCHULTZ, Mr. RYAN of Wisconsin, Mr. WATT, Mr. REICHERT, Mr. LEVIN, and Mr. HODES.
H.R. 422: Mr. PETERS.
H.R. 450: Mr. OLSON.
H.R. 571: Mr. CONYERS, Mr. GUTIERREZ, and Mr. GONZALEZ.
H.R. 614: Mr. LATTA, Mr. CULBERSON, and Mr. TAYLOR.
H.R. 621: Ms. SCHAKOWSKY and Mr. YOUNG of Alaska.
H.R. 635: Mr. STARK.
H.R. 690: Mr. LATTA, Mr. STUPAK, Mr. BOREN, and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 734: Ms. CLARKE and Ms. EDWARDS of Maryland.
H.R. 745: Mr. MASSA.
H.R. 816: Mr. KRATOVIL.
H.R. 840: Mr. BAIRD and Mr. MAFFEI.
H.R. 859: Mr. PLATTS.
H.R. 948: Mr. HODES.
H.R. 949: Mr. KRATOVIL.
H.R. 997: Mr. SESSIONS.
H.R. 1017: Ms. TITUS.
H.R. 1064: Mr. WU.
H.R. 1074: Mr. ISSA and Mrs. HALVORSON.
H.R. 1075: Mr. GINGREY of Georgia.
H.R. 1079: Mr. DEFAZIO and Mr. CARDOZA.
H.R. 1101: Mr. SIRES.
H.R. 1103: Mr. SIRES.
H.R. 1158: Mr. WEXLER.
H.R. 1188: Mr. ROTHMAN of New Jersey, Mr. MICHAUD, and Mr. LYNCH.
H.R. 1189: Mr. CARDOZA.
H.R. 1204: Ms. MCCOLLUM.
H.R. 1214: Mr. LEVIN.
H.R. 1324: Mr. PETERSON and Mr. CLAY.
H.R. 1327: Mr. LINDER, Ms. GRANGER, Mr. KRATOVIL, Ms. CORRINE BROWN of Florida, Mrs. BACHMANN, Mr. CHAFFETZ, Mr. HUNTER, Mr. HASTINGS of Washington, Mr. LINCOLN DIAZ-BALART of Florida, Mr. RYAN of Wisconsin, Mr. HIGGINS, and Mr. OLSON.
H.R. 1361: Mr. SESTAK.
H.R. 1389: Mr. NADLER of New York.
H.R. 1392: Mr. SPRATT and Mrs. MYRICK.
H.R. 1402: Mr. UPTON and Mr. SESSIONS.
H.R. 1415: Ms. DEGETTE.
H.R. 1428: Mr. FORBES.
H.R. 1441: Mr. ROGERS of Kentucky.
H.R. 1458: Ms. SLAUGHTER.
H.R. 1546: Mr. GRAYSON.
H.R. 1588: Mr. BROWN of South Carolina.
H.R. 1614: Mr. LATOURETTE.
H.R. 1625: Mr. FARR, Mrs. CAPPS, Mr. SARBANES, and Mr. BERMAN.
H.R. 1693: Ms. WOOLSEY and Mr. ELLISON.
H.R. 1826: Ms. SLAUGHTER and Ms. ESHOO.
H.R. 1831: Mr. OLSON, Mr. RODRIGUEZ, Mr. GONZALEZ, and Mr. KIRK.
H.R. 1835: Mr. TIM MURPHY of Pennsylvania.
H.R. 1884: Mr. BOCCIERI, Mr. RYAN of Ohio, Mr. ROGERS of Kentucky, Mrs. MALONEY, Ms. TITUS, and Mr. HINOJOSA.
H.R. 1891: Mr. BURTON of Indiana.
H.R. 1992: Mr. NADLER of New York.
H.R. 2000: Mr. KILDEE and Mr. GARRETT of New Jersey.
H.R. 2055: Mr. ABERCROMBIE and Mr. KILDEE.
H.R. 2060: Mr. COHEN and Mr. SCHAUER.
H.R. 2061: Mr. KLINE of Minnesota.
H.R. 2072: Mr. WITTMAN.
H.R. 2081: Mr. WEXLER.
H.R. 2089: Mr. GRAYSON.
H.R. 2095: Ms. ZOE LOFGREN of California.
H.R. 2140: Mr. CHANDLER.
H.R. 2144: Mr. HOEKSTRA.
H.R. 2159: Ms. WASSERMAN SCHULTZ.
H.R. 2215: Mr. STUPAK.
H.R. 2222: Mr. MCGOVERN and Mr. GRIJALVA.
H.R. 2254: Mr. DOGGETT.
H.R. 2267: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2476: Mrs. LUMMIS.
H.R. 2492: Mr. GORDON of Tennessee and Mr. GRAYSON.
H.R. 2499: Mrs. BLACKBURN.
H.R. 2502: Mr. KRATOVIL.
H.R. 2542: Mr. WEXLER.
H.R. 2558: Mr. STARK.
H.R. 2560: Mr. KENNEDY.
H.R. 2568: Mr. HALL of Texas.
H.R. 2573: Mr. PETERSON, Ms. HIRONO, Mr. MCGOVERN, and Mr. GRIJALVA.
H.R. 2626: Mr. BOUSTANY.
H.R. 2648: Ms. MCCOLLUM.
H.R. 2695: Ms. ZOE LOFGREN of California.
H.R. 2724: Ms. BALDWIN.
H.R. 2807: Mr. REICHERT.
H.R. 2815: Mr. CONNOLLY of Virginia.
H.R. 2870: Mrs. MILLER of Michigan, Mr. FILNER, Mr. PASTOR of Arizona, and Mr. NADLER of New York.
H.R. 2882: Mr. GRAYSON.
H.R. 2891: Mr. MASSA and Mrs. NAPOLITANO.
H.R. 2909: Ms. TSONGAS.
H.R. 2935: Mr. WILSON of South Carolina, Mr. PIERLUISI, Mr. BOUCHER, Mr. PASCRELL, Mr. LARSEN of Washington, Mr. OBERSTAR, Mr. FILNER and Mr. DICKS.
H.R. 2936: Mr. SCHAUER, Ms. FUDGE, and Mr. DEFAZIO.
H.R. 2941: Mr. BOOZMAN and Mrs. NAPOLITANO.
H.R. 3006: Mr. ABERCROMBIE.
H.R. 3011: Mr. BARROW.
H.R. 3040: Mr. GRAYSON and Mr. GONZALEZ.
H.R. 3042: Mr. VISCLOSKY, Ms. SLAUGHTER, and Mr. DEFAZIO.
H.R. 3131: Mr. WITTMAN.
H.R. 3141: Mr. REHBERG.
H.R. 3154: Mr. CARDOZA and Mr. STARK.
H.R. 3155: Mr. KLEIN of Florida and Mr. WOLF.
H.R. 3166: Mr. MURPHY of Connecticut.
H.R. 3169: Mr. CAO.
H.R. 3193: Mr. PUTNAM.
H.R. 3201: Mrs. LUMMIS.
H.R. 3202: Ms. KILPATRICK of Michigan, Mr. FARR, Mr. JOHNSON of Georgia, Mr. HINCHEY, and Mr. WHITFIELD.
H.R. 3203: Mrs. LUMMIS.
H.R. 3226: Mr. BURTON of Indiana and Mr. SIMPSON.
H.R. 3227: Mr. MCCOTTER, Mr. WOLF, Mr. BOSWELL, and Mr. FILNER.
H.R. 3233: Mr. ROONEY.
H.R. 3245: Mr. GUTIERREZ.
H.R. 3250: Mrs. MALONEY, Mr. ACKERMAN, Mr. ARCURI, Mr. SERRANO, Mr. ENGEL, and Mr. MURPHY of New York.

H.R. 3252: Mr. FILNER.

H. J. Res. 56: Mr. WELCH.

H. Con. Res. 49: Mr. RUSH, Mr. SCALISE, and Mr. ADLER of New Jersey.

H. Con. Res. 74: Ms. BERKLEY and Mr. GRIJALVA.

H. Con. Res. 94: Mr. TANNER.

H. Con. Res. 160: Mr. KANJORSKI.

H. Res. 57: Mr. SKELTON.

H. Res. 111: Ms. MARKEY of Colorado, Mr. COSTA, and Mr. LAMBORN.

H. Res. 270: Mr. DAVIS of Alabama.

H. Res. 311: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROS-LEHTINEN, and Mr. MANZULLO.

H. Res. 376: Mr. MASSA, Mr. MOORE of Kansas, Mr. BROUN of Georgia, Ms. BERKLEY, Mr. CAO, Mr. ARCURI, and Mr. FRANKS of Arizona.

H. Res. 487: Mr. SCHAUER.

H. Res. 508: Mr. EHLERS, Mr. BOYD, and Mr. SHERMAN.

H. Res. 593: Mr. GRAYSON.

H. Res. 605: Ms. BALDWIN, Mr. AKIN, Mr. DOGGETT, Mr. LANCE, Mr. ISSA, Mr. MICHAUD, and Mr. BARTLETT.

H. Res. 619: Mr. LATHAM, Mr. TIM MURPHY of Pennsylvania, and Mr. ROYCE.

H. Res. 620: Mr. GRIJALVA.

H. Res. 630: Mr. WELCH, Mr. MORAN of Virginia, Mr. BERRY, Ms. MCCOLLUM, Mr. MURTHA, and Mr. MOLLOHAN.

H. Res. 631: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of New Jersey, and Mr. BARTON of Texas.

H. Res. 641: Mr. WEXLER, Mr. GALLEGLY, Mr. WILSON of South Carolina, Ms. BERKLEY, Mr. PENCE, Mr. BOEHNER, Mr. BLUNT, Mr. MANZULLO, Mr. CRENSHAW, Mr. CARTER, Mr. STEARNS, Mr. ROYCE, Mr. WOLF, Mr. CAO, Mr. BILBRAY, Mr. BOOZMAN, Mr. CHAFFETZ, Mr. PITTS, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Res. 654: Mr. FILNER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. SPRATT

H.R. 2920, the Statutory Pay-As-You-Go Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The amendment to be offered by Representative RYAN of Wisconsin, or a designee, to H.R. 2920, the Statutory Pay-As-You-Go Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, JULY 21, 2009 No. 110

Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of grace and glory, in the darkness of our limited knowledge, we turn to You whose dwelling place is light.

Today, send our lawmakers forth with Your light to do the right as You give them the ability to see it. Lord, help them to keep their minds on You so that Your peace will provide the foundation for their confidence. In their dealings with each other, keep them from unkind words and unkind silences. Kindle on the altar of their hearts a devotion to freedom's cause in all the world, as You bring their thoughts and actions into conformity to Your will. Lord, lift their hearts in gratitude to You for our heritage in this land of rich resources, high privilege, and durable freedom.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS 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, July 21, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BURRIS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, the Senate will resume consideration of the Defense authorization bill. There will be 2 hours of debate prior to a vote on the Levin-McCain amendment regarding F–22 funding. Senators should expect the first vote to begin shortly after 12 today. The Senate will recess from 12:30 to 2:15 for our weekly caucus luncheons. After that time, the bill will be open for further amendment. I hope Members who have amendments they wish to offer will do so at the earliest possible date.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1390, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1390) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Thune amendment No. 1618, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

AMENDMENT NO. 1469

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I call up amendment No. 1469.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mr. MCCAIN, proposes amendment No. 1469.

The amendment is as follows:

(Purpose: To strike $1,750,000,000 in Procurement, Air Force funding for F–22A aircraft procurement, and to restore operation and maintenance, military personnel, and other funding in divisions A and B that was reduced in order to authorize such appropriation)

At the end of subtitle A of title I, add the following:

SEC. 106. ELIMINATION OF F–22A AIRCRAFT PROCUREMENT FUNDING.

(a) ELIMINATION OF FUNDING.—The amount authorized to be appropriated by section 103(1) for procurement for the Air Force for aircraft procurement is hereby decreased by $1,750,000,000, with the amount of the decrease to be derived from amounts available for F–22A aircraft procurement.

(b) RESTORED FUNDING.—

(1) OPERATION AND MAINTENANCE, ARMY.—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby increased by $350,000,000.

(2) OPERATION AND MAINTENANCE, NAVY.—The amount authorized to be appropriated

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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by section 301(2) for operation and maintenance for the Navy is hereby increased by $100,000,000.

(3) OPERATION AND MAINTENANCE, AIR FORCE.—The amount authorized to be appropriated by section 301(4) for operation and maintenance for the Air Force is hereby increased by $250,000,000.

(4) OPERATION AND MAINTENANCE, DEFENSE-WIDE.—The amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-wide activities is hereby increased by $150,000,000.

(5) MILITARY PERSONNEL.—The amount authorized to be appropriated by section 421(a)(1) for military personnel is hereby increased by $400,000,000.

(6) DIVISION A AND DIVISION B GENERALLY.—In addition to the amounts specified in paragraphs (1) through (5), the total amount authorized to be appropriated for the Department of Defense by divisions A and B is hereby increased by $500,000,000.

The ACTING PRESIDENT pro tempore. Under the previous order, there is 2 hours of debate on the amendment.

Mr. LEVIN. Mr. President, this amendment will strike $1.75 billion in additional funding for F–22 aircraft that was in the committee-reported bill. It will also restore serious cuts that were made in readiness and military personnel accounts and across-the-board cuts. These cuts were made in order to shift funds to support F–22 production. It is appropriate that the F–22 issue receive the full consideration by the Senate that it has received. The F–22 debate is among the most important debates we will have on the DOD authorization bill this year.

Stating what may be one of the worst kept secrets in Washington today, the Department of Defense budget request called for ending production of several programs, including the F–22 program. I suspect the Department of Defense will seldom shut down any major acquisition program without a fair amount of controversy, and I agree with the Senator from Georgia that Congress should never be a rubberstamp for the executive branch. But neither should we object to terminating production of a weapons system because of parochial reasons.

Terminating production, such as closing a base, can involve some economic loss for communities involved. I know that very personally. But we must do so from time to time and make these difficult decisions based on what is best for the Nation and what is best for the men and women of the Armed Forces.

As President Obama said the other day, in strong support of ending the F–22 production:

> To continue to procure additional F–22s would be to waste valuable resources that should be more usefully employed to provide our troops with the weapons that they actually do need.

The Senate has heard from the senior leadership of the Defense Department, both civilian and military, that we should end F–22 production. The recommendation is strong and clear, as strong and clear as I have ever heard when it comes to ending the production of a weapons system.

The Secretary of the Air Force and the Chief of Staff of the Air Force sent me and Senator MCCAIN a letter on this matter. This letter is already part of the RECORD. It reads, in part, as follows:

> This review concluded with . . . a balanced set of recommendations for our fighter forces: 1) focus procurement on modern 5th generation aircraft rather than less capable F–15s and F–16s; 2) given that the F–35 will constitute the majority of the future fighter force, transition as quickly as is prudent to F–35 production; 3) complete F–22 procurement at 187 aircraft, while continuing plans for future F–22 upgrades; and 4) accelerate the retirements of the old 4th generation aircraft and modify the remaining aircraft with necessary upgrades in capability.
>
> In summary, we assessed the F–22 decision from all angles, taking into account competing strategic priorities and complementary programs and alternatives, all balanced within the context of available resources. We did not and do not recommend F–22s be included in the FY10 defense budget. This is a difficult decision but one with which we are comfortable. Most importantly, in this and other budget decisions, we believe it is important for Air Force leaders to make clear choices, balancing requirements across a range of Air Force contributions to joint capabilities.

The Senate has also heard from the Secretary of Defense and the Chairman of the Joint Chiefs of Staff. In their letter to me and Senator MCCAIN on July 13, Secretary Gates and Admiral Mullen wrote the following:

> There is no doubt that the F–22 is an important capability for our Nation's defense. To meet future scenarios, however, the Department of Defense has determined that 187 aircraft are sufficient, especially considering the future roles of Unmanned Aerial Systems and the significant number of 5th generation stealth F–35s coming on-line in our combat air portfolio.
>
> It is important to note that the F–35 is a half generation newer aircraft than the F–22, and more capable in a number of areas such as electronic warfare and combating enemy air defenses. To sustain U.S. overall air dominance, the Department's plan is to buy roughly 500 F–35s over the next five years and more than 2,400 over the life of the program.
>
> Furthermore, under this plan, the U.S. by 2020 is projected to have some 2,500 manned fighter aircraft, almost 1,000 of them will be 5th generation F–35s and F–22s. China, by contrast, is expected to have only slightly more than half as many manned fighter aircraft by 2020, none of them 5th generation.
>
> The F–22 program proposed in the President's budget reflects the judgment of two different Presidents, two different Secretaries of Defense, three chairmen of the Joint Chiefs of Staff, and the current secretary and chief of staff of the Air Force. If the Air Force is forced to buy additional F–22s beyond what has been requested, it will come at the expense of other Air Force and Department of Defense priorities—and require deferring capabilities in areas we believe are much more critical for our Nation's defense.

For all these reasons, the Secretary of Defense and the Chairman of the Joint Chiefs concluded:

> [W]e strongly believe that the time has come to close the F–22 production line. If the Congress sends legislation to the President that requires the acquisition of additional F–22 aircraft beyond Fiscal Year 2009, the Secretary of Defense will strongly recommend he veto it.

You do not get much stronger statements than that from a Secretary of Defense and a Chairman of the Joint Chiefs.

The Secretary of Defense, just last Thursday, expanded on those thoughts at the Economic Club in Chicago, when he said the following:

> . . . supporters of the F–22 lately have promoted its use for an ever expanding list of potential missions. These range from protecting the homeland from seaborne cruise missiles to, as one retired general recommended on TV, using F–22s to go after Somali pirates who in many cases are teenagers with AK–47s—a job we already know is better done at much less cost by three Navy SEALS.

The Secretary, in Chicago, said:

> These are examples of how far-fetched some of the arguments have become for a program that has cost $65 billion—and counting—to produce 187 aircraft, not to mention the thousands of uniformed Air Force positions that were sacrificed to help pay for it.

The Senate has also heard, of course, from President Obama, as follows—this is what he wrote us:

> In December 2004, the Department of Defense determined that 183 F–22s would be sufficient to meet its military needs. This determination was not made casually. The Department conducted several analyses which support this position based on the length and type of wars that the Department thinks it might have to fight in the future, and an estimate of the future capabilities of likely adversaries. To continue to procure additional F–22s would be to waste valuable resources that should be more usefully employed to provide our troops with the weapons that they actually do need.

So the President, based on his uniformed and civilian advisers' recommendations, has now said he will veto this bill if we keep the additional $1.75 billion in the bill to buy the additional seven F–22s those military leaders—uniformed and civilian—strongly say we do not need.

I know my friend from Georgia has quoted some private sector individuals and one senior military official in particular, GEN John Corley, the Commander of the Air Force's Air Combat Command.

I do not take lightly the recommendations and advice of someone with a distinguished career such as General Corley. However, General Corley's assessment of a high military risk if we end the buy of F–22s at 187 is not shared by the most senior leadership of the Department that is responsible for viewing the F–22 program, and all other Department of Defense programs, from a broader perspective. These same leaders from the previous administration—the previous Secretary of Defense, the previous Chairman of the Joint Chiefs of Staff—recommended termination to President Bush, and President Bush also urged the termination of this program.

General Cartwright said at his confirmation hearing—or reconfirmation hearing—2 weeks ago the following:

. . . I was probably one of the more vocal and ardent supporters for the termination of the F–22 production. The reason's twofold. First . . . there is a study in the Joint Staff that we just completed and partnered with the Air Force on that, number one, said that proliferating within the United States military fifth-generation fighters to all three services was going to be more significant than having them based solidly in just one service, because of the way we deploy and because of the diversity of our deployments.

General Cartwright went on to say the following:

Point number two is, in the production of the F–35 Joint Strike Fighter, the first aircraft variant will support the Air Force replacement of their F–16s and F–15s. It is a very capable aircraft. It is 10 years newer—

''It'' being the F–35 Joint Strike Fighter—

It is 10 years newer in advancement in avionics and capabilities in comparison to the F–22. It is a better, more rounded, capable fighter.

Well, that F–35 is in production now. In fact, there are 30 being paid for and bought and produced in the very budget for the Department of Defense which is before this body now.

President Eisenhower noted, from time to time, the military industrial complex will push for more and more, more than is needed. In this case, however—in this case—the senior military leadership is not pushing for more.

Finally, to quote again from Secretary Gates's speech last week—this was in Chicago at the Economic Club—

The grim reality is that with regard to the budget we have entered a zero-sum game. Every defense dollar diverted to fund excess or unneeded capacity—whether for more F–22s or anything else—is a dollar that will be unavailable to take care of our people, to win the wars we are in, to deter potential adversaries, and to improve capabilities in areas where America is underinvested and potentially vulnerable.

Secretary Gates said:

That is a risk I cannot accept and I will not take.

So, Mr. President, the time has come to end F–22 production at 187 F–22As. That is all we need to buy, that is all we can afford to buy, and that is all we should buy.

Mr. President, I yield the floor and reserve the remainder of our time.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, I am going to proceed on my leader time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE WEEK VII, DAY I

Mr. McCONNELL. Mr. President, Americans are eager for health care reforms that lower costs and increase access. This is why many of us are proposing reforms that should be easy for everyone to agree on, such as reforming our medical liability laws, strengthening wellness and prevention programs that would encourage people to make healthy choices, such as quitting smoking and losing weight and addressing the needs of small businesses without imposing new taxes that kill jobs.

The administration is taking a different approach to health care reform, and the more Americans learn about it, the more concerned they become. So it is good the President plans to spend a lot of his time in the days ahead discussing the administration's plan for reform because people need to know what the administration's plan is.

Specifically, Americans have concerns about losing the care they have and spending trillions of dollars for a so-called reform that could leave them with worse care than they have now, especially if it is paid for by seniors and small business owners.

One prospect Americans are extremely concerned about is that they will be forced off of their current plans as part of a government takeover of health care. Despite repeated assurances from the administration to the contrary, the independent Congressional Budget Office says that just one section of one of the Democratic proposals we have seen would force 10 million people off their current health plans.

Americans do not want a government takeover, and they certainly do not want the government to spend trillions of their tax dollars to pay for it, especially if the care they end up with is worse than the care they already receive, and especially if the money that is spent on these so-called reforms only adds to the national debt.

The President has repeatedly promised that his reform would not add to the debt. Yet both the House and Senate reform bills we have seen would do just that. This is why even Democrats have started to backpedal from the administration's plans.

One reason Democrats are having second thoughts is because the Director of the Congressional Budget Office has sounded the alarm over the administration's claims that its reforms would cut long-term overall health care costs. On the contrary, he said the administration's reforms would actually lead to an increase in overall costs. Concerns like these about costs and debt have been building slowly for weeks.

Another growing concern even among Democrats is the impact these higher costs would have on States in the form of higher Medicaid costs. At a time of tight budgets, this is something that Governors from both political parties are not very happy about.

For example, New Mexico Governor Bill Richardson has said, and I am quoting him directly:

I'm personally very concerned about the cost issue, particularly the $1 trillion figures being batted around.

Expanding Medicaid might look like an easy way to expand access, but it will actually mean massive spending increases for both Federal and State taxpayers. This could be a devastating blow to States such as Kentucky and many others which are already struggling to pay the Medicaid costs they currently owe.

The administration's efforts to pay for its plans are not the least bit reassuring. The two main groups they are targeting are the last two that should be expected to pay for it: seniors, through Medicare cuts, and small business owners, through higher taxes.

To me, it is just common sense that in the middle of a recession the last thing—the last thing—we should be doing is raising taxes on small businesses. Yet both bills we have seen would do just that. Indeed, under the House bill, taxes on some small businesses would rise as high as roughly 45 percent. This means in order to pay for health care reform, Democrats would increase the tax rate on some small businesses to about 30 percent higher than the rate for big corporations. Taxes would go up so much, in fact, under the House proposal that the average combined Federal and State top tax rate for individuals would be about 52 percent—52 percent, Mr. President.

Let's consider that figure for a moment. To repeat: In order to pay for a health care proposal that would not even address all the concerns Americans have about access and cost—and which might even increase overall health care costs—Democrats in the House would raise the average top tax rate in the United States to about 52 percent.

The chart behind me was created by the Heritage Foundation and appeared last week in the Wall Street Journal. It shows that the House bill would raise the top U.S. rate above even France. Of the 30 countries the OECD measures, only Belgium, Sweden, and Denmark have higher rates, and five U.S. States would have tax rates even higher than both Belgium and Sweden.

The United States is in the middle of a recession. We have lost more than 2.5 million jobs since this January. Families are losing homes. The last thing they need is a government takeover that kills even more jobs, adds to the ballooning national debt, increases Americans' long-term health care costs, and leaves Americans paying more for worse care than they now receive. The proposals we have seen are not just incomplete, they are indefensible, particularly at a time of spiraling debt and ever-increasing job losses.

Maybe this is why the administration has started to insist on an artificial deadline for getting its reform proposals through. We certainly do not need to rush and spend $1 trillion to enact this flawed proposal by the August recess. The American people and members of both parties in Congress are calling on us to slow down and take the time to get it right.

Health care reform is too important to rush through and get it wrong. We saw what happened when some rushed and spent $1 trillion on an artificial

deadline with the stimulus. The American people do not want the same mistake to be made. Instead of setting a 3-week deadline on legislation that would end up affecting one-sixth of our economy, the administration should focus on meeting existing deadlines.

The Mid-Session Review of the administration's earlier predictions about unemployment, economic growth, government spending, and the outlook for the Federal deficit has traditionally been released in mid-July. Yet now we are hearing the administration may not release its midsession review until August, after Congress has adjourned and after the administration's artificial deadline for a Senate bill on health care.

The administration is also struggling to meet its decision to close Guantanamo by January 2010. The administration's task force on detainee policy has said it will miss its deadline for making recommendations. It seems premature to announce a closing date for Guantanamo without knowing where these detainees may be sent. The most recent delay is even more reason for the administration to show flexibility and reconsider its artificial deadline for closing Guantanamo.

Americans want Republicans and Democrats to enact real health care reform that reduces costs and makes health care more accessible. They don't want a government takeover of the health care system that costs trillions of dollars, is paid for by seniors and job-killing taxes on small businesses and that leaves them paying more for worse care than they currently have. Before the administration rushes to spend another trillion dollars, it needs to slow down and focus on fixing our economy and addressing the issues it is already falling behind on.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise in opposition to the Levin-McCain amendment on the F–22. I was listening with interest to the chairman speak a little bit earlier when he raised several points that I am going to address specifically as I get into the guts of the argument. I think it is kind of interesting when he gives a list of those individuals in the Pentagon and in the White House who are now in opposition to continued production of the F–22. Interestingly enough, everybody he talked about—from the President to the Secretary of Defense, to the Secretary of the Air Force, the Chief of Staff of the Air Force, the Chairman of the Joint Chiefs—every single one of those individuals is political. They are appointed. They are appointed by the President.

I am going to talk about some individuals who are in support of the F–22 who are not appointed. No. 1, they are the men and women who fly the F–22. Secondly, it is men who have had the courage to wear the uniform of the United States of America in an unparalleled way that I have seen since I have been here, who have been willing to stand up to that political leadership and say: You guys are wrong. They have been willing to stand and say that if you cut off production of the F–22 at 187, you are going to put this country at a high risk from a national security standpoint.

As we go through the debate, it is going to be interesting to contrast the statements and the letters that every Member has received a flurry of over the last several days. I have never seen the White House lobby such as they have lobbied on this issue. For a White House that was not supposed to be a lobbying White House or in support of lobbyists, it has been unparalleled in my now going on 15 years as a Member of the Congress.

Senator LEVIN spoke earlier about the F–35: We are going to ramp up production. We are going to buy 30 airplanes, 30, in this budget. Well, guess what we are paying for those airplanes. We are paying $200 million a copy. Guess what we are buying an F–22 for today—an airplane that has been through the test phase; an airplane that has proved itself. We are under a multiyear contract that calls for payment by the Air Force to the contractor of $140 million a copy. There is going to be a lot of conversation on this floor about the cost of the F–22, and it is expensive: $140 million a copy is very expensive. But to come in here with a straight face and say we are going to save taxpayers' money by moving to the F–35 and then turn around and say we are going to pay $200 million a copy in this bill for F–35s, something about that doesn't add up.

Well, let me just say we are in a debate with the Pentagon with respect to budgetary issues submitted by the Pentagon to Congress. There are a lot of people who think we ought to step in line, salute the Pentagon and move ahead and do exactly what the Pentagon says with respect to the purchase of weapons systems. Well, that is not the way the Framers of the Constitution intended the Senate and the House to work. Article I, section 8 of the Constitution provides Congress with the power to levy and collect taxes, provide for the common defense of the United States, to raise and support armies and to make rules for the government and regulation of the land and naval forces.

Clearly, we in Congress have a role in overseeing the Department of Defense, reviewing budgets, and questioning budget and policy recommendations. Our interest and involvement in these issues are appropriate and not just based on parochial issues. We are charged with the responsibility of reviewing DOD policies, whether fiscal policies or otherwise. That is simply a part of our job.

I think it is important to note that on several occasions in recent years, Congress has authorized policy or funding initiatives that DOD has strongly opposed and, in retrospect, Congress was right and DOD was wrong. Perhaps the most similar example to the F–22 is the battle over the F–117 that occurred many years ago when the Air Force wanted to stop buying F–117s. Thank goodness my predecessor, Senator Sam Nunn, who was then chairman of the Senate Armed Services Committee, forced the Air Force to buy more F–117s. Ironically, part of the Air Force's argument was that they wanted to shift funding and focus to buying more F–22s. The F–117 was critical to establishing air dominance over Iraq in Desert Storm, and we can thank Congress for recognizing the need for more F–117s years ago.

There are several other examples, such as the Goldwater-Nichols Reorganization Act of 1986 and the establishment of Special Operations Command in 1987, both of which were strongly opposed by the Pentagon. Other examples are continuation of the V–22 program and prohibition against retiring U–2s and B–52s, all of which are paying dividends beyond what the military expected, including in Iraq and Afghanistan today.

I wish to address a comment Senator LEVIN and others have made regarding previous Secretaries of Defense and Chairmen of the Joint Chiefs supporting only 183—or 187 now, with the addition of four F–22s we are buying in the supplemental. First, that number of 183 originally was established not on the basis of any study or analysis—never a study that came out and said we need 183 and we are going to be basing our decision on that—but it was based on PBD 753, which is inside Washington baseball, which was an OSD budget drill 2 days before Christmas in 2004, in which the Air Force had absolutely no input. Neither the Chief of Staff nor the Secretary was involved. A number of ''183'' or ''187'' has always been budget driven and not strategically driven.

There have been at least 10 studies done on F–22 numbers over the past 10 years. Of those, only one, the Joint Air Dominance Study done by DOD in 2005, recommended 183 F–22s. However, that study was based on only needing F–22s in a single-threat scenario and which also used a fixed budget.

Senator LEVIN mentioned the comments General Cartwright made in the Senate Armed Services Committee hearing 2 weeks ago. And he relies heavily on the statement General Cartwright made. General Cartwright responded to a question I asked, and my question to General Cartwright was: General, you say you support terminating the F–22 program at 187. Has there been any one single study, in the Air Force or outside the Air Force, any analysis done that recommends we terminate the program at 187? General Cartwright's statement to me was: Yes; there is a study going on in the Air Force right now that says we should terminate the program at 187.

Well, unfortunately for General Cartwright, we now know no study was

done. It is our understanding that the comment of General Cartwright is being corrected for the record and that we are receiving a corrected statement coming to the committee shortly.

I wish to quote from a statement by Pentagon spokesman Geoff Morrell that was made last Tuesday with respect to the comments of General Cartwright. This comment is quoted in the Daily Report. It now turns out that a recent study touted by Pentagon leadership as the justification for terminating the F–22 fighter isn't a study at all but a series of briefings by DOD's program analysis and evaluation shop in the Air Force. That word comes from the Pentagon's top spokesman, Geoff Morrell, who told the Daily Report late Tuesday that the study, or whatever it is, is: Not so much a study as work products.

Asked to describe the nature and timing of this study, Morrell told the Daily Report:

> What I think General Cartwright was referring to . . . is two different work products—

One by the PA&E shop and one by the Air Force—

> and not so much a study.

Since PDB 753, only 183 F–22s have been programmed in the budget, with fiscal year 2009 being the last year of funding. To say previous Secretaries of Defense and Chairmen of the Joint Chiefs supported this is misleading since, until the fiscal year 2010 budget bill process, a decision on whether to buy more F–22s would be deferred to future decisionmakers. It is perhaps with this in mind that Secretary Gates himself decided last year to request additional F–22s in the fiscal year 2009 supplemental, and he did, in order to keep the line open and preserve the next administration's option for procurement of the F–22.

I know the former President, President Bush, did not want to see the program terminated. They can say what they want to on the other side, but having had personal conversations, I know what his feeling was about this great aircraft. He could have terminated the program, but he did not terminate the program. It is this administration that is seeking to terminate this program.

There have been five previous Secretaries of the Air Force, six previous Chiefs of Staff of the Air Force, seven previous Secretaries of Defense before this one, and eight previous commanders of Air Combat Command who have said we need more F–22s. We have supported this program from day one. We have continued to reduce the number from the original 781, now down to 187. The current Chief of Staff of the Air Force, whose letters have been quoted and inserted in the RECORD where he says we should cap it at 187, has testified time and time and time again in recent days and in recent weeks and who has written me letters stating that the military requirement for F–22s is not 187, it is 243, but he says we can't afford it. Therefore, he has to salute his boss. His boss is a political appointee—Secretary Gates—and the political appointee says we are going to cap it at 187; therefore, that is the direction in which we are going to go and the direction in which you have to salute the flag and move on.

I am going to close my comments at this time and turn to my colleague from Connecticut. Before I do so, I will quote somebody who is not political, somebody who is not an appointee, somebody who is a former Chief of Staff of the Air Force. That is GEN Merrill McPeak, who, last week, in an unsolicited statement, came out and said, when he talked about terminating the F–22 production rate at 187:

> I think it's a real mistake. . . . The airplane is a game-changer and people seem to forget that we haven't had any of our soldiers or Marines killed by enemy air since 1951. . . . It's been half a century or more since any enemy aircraft has killed one of our guys.
>
> The F–22 is at the top end. We have to procure enough of them for our ability to put a lid on, to dictate the ceiling of any conflict. We certainly need some figure well above 200. That worries me because I think it is pennywise and pound foolish to expose us in a way this much smaller number does. . . . That's taking too much high-end risk.

General McPeak is a supporter of this administration and, as far as we can tell, he is not a consultant for any major defense contractor. For this reason, I think his comments deserve significant attention and credibility.

I will stop at this point, but I will say more later. I now turn to my colleague, Senator DODD, who I will say has been a great champion on this issue, a great partner in support of not just the men and women of the Air Force and our other branches that depend on this weapon system to protect America and our soldiers in the field but also a great protector from an economic standpoint.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, how much time remains for those of us in opposition?

The ACTING PRESIDENT pro tempore. There is 44½ minutes remaining.

Mr. DODD. I ask to be recognized for 10 minutes, and if I need a little more, I will ask for it.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized for 10 minutes.

Mr. DODD. Mr. President, I commend Senator CHAMBLISS for his eloquent and persuasive argument about why this amendment is a dangerous one, and I say that respectfully. I have great admiration for CARL LEVIN and JOHN MCCAIN, but there are serious problems with this approach, from a national security standpoint as well as a manufacturing and industrial base standpoint.

To put this into context for our colleagues, we are being asked to authorize $1.75 billion, or two-tenths of 1 percent of the budget before us of $680 billion. We are told there are at least 25,000 direct jobs and 95,000 direct and indirect jobs at stake for that $1.75 billion—again, two-tenths of 1 percent of the budget—which Senator CHAMBLISS has offset, by the way. It is not an expenditure that is not going to be accounted for.

We are going to put those jobs at risk—not because this industry is in trouble, unlike the automobile industry, which we bailed out to the tune of $63 billion, by the way—understanding the reason many of us supported that was to maintain an industrial manufacturing base.

In this case, we lead the world in aerospace. Nobody comes even close to the ability of the United States to produce the most sophisticated aircraft in the world. Yet with an industry doing relatively well—although commercial orders are way down, which is causing serious problems but that is as a result of the economic conditions. We are unwilling to come up with $1.75 billion or two-tenths of 1 percent to put those many jobs at risk, not to mention retreating on our air superiority.

One of the critical components of national security is maintaining superiority both at sea and in the air. The F–22, by any estimation, is the most superior aircraft in the world. It is not even close in terms of competitors. Yet with the numbers we have and that we are relying on, we leave ourselves way short of the earlier projected numbers.

As Senator CHAMBLISS pointed out, the testimony over the years of those who advocated this program has been significant. In fact, in the letter most recently received from General Corley, head of the Air Combat Command Office, headquartered at Langley, VA, June 9, it points out how serious this would be in terms of exposing our Nation to national security risks. The head of the Air National Guard Bureau, Lieutenant General Wyatt, makes the same claim. Chief of Staff Schwartz, before he changed his mind a week earlier, advocated the F–22 as well, and its importance.

From both a manufacturing perspective and job loss, at a time when unemployment rates are skyrocketing, this body is about to lay off anywhere from 25,000 to 90,000 people—at a time when unemployment rates are going up, because we decided that $1.75 billion is too expensive at this juncture, even though we have offset it, and we have put that many jobs at risk, not because the industry is failing or because it is a bad aircraft but because the Secretary of Defense and the administration have decided this program isn't worthy of our support.

So explain to those 90,000 people—somewhere in that range—once they lose their jobs and get laid off, and they will—why it was we decided today, because of two-tenths of 1 percent of the budget, to move in a different direction. Put aside, if you will, the $63 billion we spent to develop this aircraft.

I raised these concerns expressed by our military commanders—again, most notably, GEN John Corley of the Air Combat Command, LTG Harry Wyatt of the Air National Guard—I have mentioned them. In my State, there are 2,000 to 3,000 jobs at risk, and 1,000 of the jobs are down because commercial orders are down. So it is really 2,000 to 4,000 people in my State who will lose their jobs.

No matter how much I care about the people in my State, I could not oppose this exclusively on that basis. You ought to look nationwide. It is not just my State; it is all across the country.

I raised concerns about what this amendment would do to our global competitiveness and discussed the potential harm to our economy posed by terminating the world's most advanced fighter jet.

I raised concerns over the industry's ability to build the less sophisticated F–35—which has only one engine not two, and the word ''stealthy'' applied to the F–35 is a myth; it is not as stealthy, even remotely, as the F–22—that the United States and its allies are counting on buying over the next decade.

Mr. President, before I revisit these critically important arguments, let's be clear on the context in which we are having this debate. The proponents of this amendment suggest they are saving taxpayers valuable resources in terminating the F–22. They claim such cost savings are well worth the risk Generals Corley and Wyatt have warned us about.

But out of a total of $680 billion in the Defense authorization bill, this amendment is valued at $1.75 billion. That is two-tenths of 1 percent of the total authorization. Since the planes are fully offset, there are no real savings in this amendment.

Instead, this amendment will come at enormous cost to our security and our economy. We are in the midst of a national manufacturing crisis. Everybody has talked about it. It is why we voted for so much support for the automobile industry only a few weeks ago right here in this body.

According to the Federal Reserve's July 15, 2009, Industrial Production and Capacity Utilization Report, manufacturing production has declined 15.5 percent nationwide, between June 2008 and June 2009. I will repeat that: There has been an over 15 percent decline in our manufacturing sector. This quarter's manufacturing production is the lowest in 27 years, which was the previous low point in production since 1967, when the Fed started to keep track of the data.

We in Congress tried to respond to this crisis. We passed the Emergency Economy Stabilization Act, designed to relieve credit markets and get banks lending again.

We passed the $787 billion American Reinvestment and Recovery Act to stimulate the economy and boost demand in various sectors and put people back to work.

We have provided $63 billion to Chrysler and General Motors to keep their production lines running—companies that were brought to their knees, in part, due to dismal business planning and severe mismanagement of their companies over the years.

Additionally, the government has acquired unprecedented equity stakes in these companies—8 percent in Chrysler and a whopping 60 percent in General Motors.

I have not opposed these efforts. As chairman of the Banking Committee, I worked with my colleagues who represent those States to provide Federal assistance through the legislative process. But we took this step because we were responding to a national manufacturing crisis. We did it because we are responding to the dire and credible warnings about the potential impact of the auto industry's collapse—particularly in Midwestern States, which greatly depend on the auto business.

I will discuss briefly another critically important manufacturing base and its economic impact: the aerospace industry.

While my home State of Connecticut ranks 29th in total population, according to the Bureau of Labor Statistics, it ranks sixth in total aerospace employment.

In 2008, according to the Connecticut Department of Labor, aerospace employed over 36,000 residents of my State. So any discussion of terminating the fighter jet production has an outsize effect on the people I represent.

I would not be arguing this case for the F–22 if it were strictly a parochial matter. We don't have a right to ask 99 other people exclusively because of something happening in our own States. The truth is, halting this production will have consequences for our industry's ability to continue to build aircraft for our military. I will lay out the argument for you.

The expertise of these people cannot be duplicated overnight. These trained engineers, scientists, manufacturers, and machinists are highly skilled and trained. I am concerned their skill sets and experience are being taken for granted, without consideration for the peculiarities of jet engine construction. That doesn't just hurt the workers and their families; it hurts all of us. Let me explain how.

According to the Defense Contract Management Agency, there is a 20- to 24-month lag between payment for and production of jet engines. So the number of planes ordered in any 1 given year doesn't correspond with the delivery time of those engines.

Under Secretary of Defense Gates's plan in calendar year 2010, Pratt & Whitney is expected to make 48 F–22 engines and 19 F–35 engines, for a total of 67 fighter jet engines. The following year, the number will drop precipitously to a total of 43 engines, since the F–35 is not scheduled to begin what is called ''full-rate production'' until 2014.

Thus, in calendar year 2011, Pratt & Whitney will be producing 11 F–22 engines and 32 F–35 engines, for a total of 43 fighter engines. In 2012, since there will be no F–22 production, there will only be 41 F–35 engines built.

The problem is even more acute when you compare overall military engines being built in 2010 versus 2011 and 2012. Under current plans, Pratt & Whitney is expected to go from building 194 military engines to 130 in 2011. That is an average drop of 33 percent in work volume.

What will happen? It is the same thing occurring in manufacturing States all across the country: layoffs. Thousands and thousands of people—not just in my State but across the country.

In the absence of military aircraft work orders for 3 years, companies will be forced to tell the legions of highly skilled engineers, technicians, and machinists—workers such as the Pratt & Whitney mechanics I introduced and mentioned last week—that they are not needed now. They need to retrain. They need to find another vocation.

Then, 3 years later, after these workers have settled in a new job, or have retired, the Department of Defense and our allies will try to ramp up production of the F–35. But they will not be able to. They will be left scratching their heads, wondering: Why can't industry meet our production needs right now? No doubt, we will ask the same question on the Senate floor.

To assume that the thousands of workers across the Nation who work on the F–22 will stand idly by until 2014 when we begin to build the F–35 Joint Strike Fighter is naive at best. This argument I make is not new at all. The Defense Department recognized this point in the 2006 Quadrennial Defense Review, published by the military to identify the needs and strategy of our Armed Forces.

The report stated that F–22 production should be extended ''through fiscal year 2010 with a multiyear acquisition contract to ensure the Department does not have a gap in fifth generation stealth capabilities.''

At the same time, the F–35 was scheduled to begin construction in 2010. Since then, of course, it has been pushed back 4 years to 2014. There are some rumors that this date may be pushed back even further.

This means the military identified only 3 years ago—36 months ago—the most recent published report of this type, that our Nation would suffer a loss in aerospace manufacturing capability if fighter production doesn't have a seamless transition.

Their response was to ensure that we keep building F–22s until the F–35 reached full-rate production. Yet when the F–35 production schedule was pushed back 4 years, we did not extend the F–22 production to stabilize our industrial base. That is why you have the job losses I have mentioned.

Now we find ourselves in the very situation the Department of Defense was

trying to avoid 36 months ago, as we face looming job losses across our Nation, commercial orders down—losing these people on that basis and now because of the vote we may take on this issue—and thus a degradation of our ability to meet the aerospace production capability our national security requires. So I believe it is our duty and responsibility to protect these workers from losing their employment and make sure our country retains a viable and competitive capacity in the years ahead.

Let me also point out—and I did the other day on a national security basis—that, again, superiority is critical. Right now, there are some 40 nations that have the SU–27, which is a sophisticated aircraft, and the MiG–29, which competes with the F–15 and the F–16. Forty nations have that capability. I had a larger chart earlier—I don't have it with me today—but there are little red and yellow dots all over this map that indicate advanced surface-to-air missile capability where there have been orders made or they have already been acquired. Our F–15s and F–16s are vulnerable to those surface-to-air missiles. All over the globe they exist.

The F–22 literally could avoid the kind of detection these surface-to-air missiles provide. So we now have a capacity to be able to respond. Now we may not—and as long as we are dealing with Afghanistan and Iraq, that is one issue. But, frankly, we have to prepare for situations that could get a lot more dangerous for our Nation. The Chinese and the Russians are aggressively pursuing a fifth generation aircraft to compete with the F–22. And to say that the F–22 and the F–35 are virtually alike I think is a mistake. That is not the case at all. There is a difference.

From a national security standpoint as well, there was a reason why General Corley and General Wyatt and others have made a case on these aircraft. There is a reason why we invested some $65 billion to develop this aircraft. There is a reason why the quadrennial report 36 months ago warned about these gaps and what it would do to our industrial base and manufacturing.

I hope our colleagues, in the midst of all of this, would understand what is at stake. Again, here we are, on an economic basis, where many jobs could be lost in our country with critical technology that hangs in the balance. It would be one thing if we were arguing here this plane was no longer needed, it was not going to do the job we thought it would do, it wasn't as sophisticated as we hoped it would be. Then you might decide dropping this, giving up some jobs, may make some sense. But to give up an aircraft of this sophistication and this capability, and simultaneously, in an economic situation such as we are in, to lose as we are predicting somewhere between 25,000 and 90,000 jobs with this decision, for $1.75 billion in this budget—two-tenths of 1 percent out of a $680 billion authorization bill, I think is terribly shortsighted.

I hope my colleagues would listen to these arguments, would debate and understand there is an ability, to reach a compromise where we can go forward with production, reduce some of the cost that the proponents argue for in this amendment, and then move toward together. But to make the decision that we may make in the next hour and a half or so would be a great danger for our Nation.

I appreciate my colleague Senator CHAMBLISS giving me the opportunity to respond on this issue, and I thank him for his work as well in making the case to our colleagues, Democrats and Republicans. This ought not to be an issue that divides along those lines at all. We need to understand what is at stake for our Nation, both in terms of our manufacturing base as well as the national security needs that have been identified.

Mr. President, I ask unanimous consent to have printed in the RECORD the two letters, one from General Corley and one from General Wyatt.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS AIR COMBAT COMMAND,
Langley Air Force Base, VA, June 9, 2009.

Hon. SAXBY CHAMBLISS,
U.S. Senate,
Washington, DC.

DEAR SENATOR CHAMBLISS: Thank you for your letter and the opportunity to comment on the critical issue of F–22 fleet size. At Air Combat Command we have held the need for 381 F–22s to deliver a tailored package of air superiority to our Combatant Commanders and provide a potent, globally arrayed, asymmetric deterrent against potential adversaries. In my opinion, a fleet of 187 F–22s puts execution of our current national military strategy at high risk in the near to midterm.

To my knowledge, there are no studies that demonstrate 187 F–22s are adequate to support our national military strategy. Air Combat Command analysis, done in concert with Headquarters Air Force, shows a moderate risk force can be obtained with an F–22 fleet of approximately 250 aircraft.

While OSD did not solicit direct input from Air Combat Command, we worked closely with our Headquarters in ensuring our views were available. We realize the tough choices our national leadership must make in balancing current warfighting needs against the fiscal realities our Nation faces.

The F–22, a critical enabler of air dominance, plays a vital role and indispensable role in ensuring joint freedom of action for all forces and underpins our ability to dissuade and deter. Thank you for your continued support of the U.S. Air Force and Air Combat Command.

Sincerely,

JOHN D.W. CORLEY,
General, USAF,
Commander.

Hon. SAXBY CHAMBLISS,
U.S. Senate,
Washington, DC.

DEAR SENATOR CHAMBLISS: Thank you for your inquiry and the opportunity for me to discuss what I believe to be a serious threat to the Air National Guard's ability to fulfill our Nation's highest strategic priority; defending the Homeland. The ANG has proudly performed the bulk of this mission, while simultaneously participating in overseas contingency operations, with aircraft that are rapidly nearing the end of their service life. While I believe our Nation has the capacity to recapitalize the ANG, I am not aware of any plan that commits to doing so. As such, we are in need of an immediate solution in order to ensure that America's most cost effective force can continue to perform its most important mission.

While a variety of solutions abound, I believe the nature of the current and future asymmetric threats to our Nation, particularly from seaborne cruise missiles, requires a fighter platform with the requisite speed and detection to address them. The F–22's unique capability in this arena enables it to handle a full spectrum of threats that the ANG's current legacy systems are not capable of addressing. I am fond of saying that ''America's most important job should be handled by America's best fighter''.

Indeed, I am keenly aware of the severe strain that our current economic situation has placed on the Department of Defense as it attempts to modernize for an ever evolving threat environment. Given this reality, finding more efficient ways to protect our Nation's interests at home and abroad is the new imperative. Many say this will mean making tough choices, but I believe we can maintain our vitality by making smart choices; leveraging the cost effective and dual use nature of the ANG is the answer. Basing F–22s (and eventually F–35s) at strategic ANG locations throughout the United States while simultaneously making them available to rotationally support worldwide contingency operations is the most responsible approach to satisfying all of our Nation's needs.

Again, thank you for your inquiry and your continued support of the Air National Guard.

Sincerely,

HARRY M. WYATT III,
Lieutenant General, USAF,
Director, Air National Guard.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Michigan.

Mr. LEVIN. Madam President, I yield myself 1 minute to give the figures relative to the F–35 production, which are the Pentagon figures. I am not sure where my good friend from Connecticut got his figures on future F–35 production. But the figures from the Pentagon are that there are 30 in this year's budget; in next year's budget, fiscal year 2011, they plan 70 F–35s; in fiscal year 2012, 109 F–35s; in fiscal year 2013, 119 F–35s. Those are far different than the numbers which my friend from Connecticut just gave.

I am not sure the source of his numbers. Perhaps he can give us those numbers at a later time.

At this point, I yield 5 minutes to the Senator from Delaware.

Mr. DODD. Madam President, if I may respond.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I wanted to state where the numbers came from. They are from the Defense Contracting Management Agency. That is where the numbers came from.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. KAUFMAN. Madam President, today, I would like to speak in strong support of the Levin-McCain amendment which strips $1.75 billion in spending for additional F–22s. These are fighter jets the military does not want and does not need. This is a Cold War system, in a post-9/11 world, that is underperforming and overpriced. To force this purchase, against the best judgment of our military leadership and Commander in Chief, weakens our ability to keep our Nation safe.

The White House and Pentagon agree that continuing the F–22 production line decreases our military readiness by wasting resources that could be much more usefully employed. And it is not a partisan issue. Presidents Obama and Bush; Defense Secretaries Gates and Rumsfeld; Chairman of the Joint Chiefs of Staff, Admiral Mullen, and his two predecessors; and the Secretary and Chief of Staff of the Air Force all agree that the F–22 is not the most efficient or effective warplane to meet our current and future defense needs.

The F–22 has not flown one mission over Afghanistan or Iraq, because it is not the best weapon to meet the challenges we are currently facing.

This system was designed to counter Soviet fighters at the end of the Cold War. And its continued purchase deprives the military of $1.75 billion it requested for other critical priorities, such as building the capability to protect our troops and defeat insurgencies.

With ongoing wars in Afghanistan and Iraq, we cannot afford to disregard the views of our military. And in these tough economic times, we cannot afford to adopt an irresponsible approach to defense spending. These facts speak for themselves, and the stakes are simply too high. What more evidence do we need?

The F–22 prepares us for the wars of the past; the wars we have already won. Today, we must look forward and make tough decisions for the future. We must heed the advice of our military leaders, such as Secretary Gates, to rebalance our defense budget. And enhance our capabilities to succeed against current and future threats. This includes preparing for a wide spectrum of conflict and continuing to engage in counterinsurgency.

Madam President, this debate is not just about the future of F–22s. It is about changing the way we do business. It is about accepting this rebalancing and ending unnecessary waste. And it is about matching vital national security interests with commensurate levels of funding.

The F–22 is the first test of our willingness to make the tough choices necessary to truly prioritize defense spending.

As Secretary Gates said last week:

> The grim reality is that with regard to the budget, we have entered into a zero-sum game. Every defense dollar diverted to fund excess or unneeded capacity—whether for more F–22s or anything else—is a dollar that will be unavailable to take care of our people, to win the wars we are in, to deter potential adversaries, and to improve capabilities in areas where America is underinvested and potentially vulnerable. That is a risk I cannot accept and I will not take.

Madam President, I want to align myself with the remarks of Secretary Gates, and reiterate to my colleagues that this is a risk none of us should be willing to take.

Many of my colleagues have spoken of the sacrifice and cost such a decision incurs in terms of jobs. They are right, and I share their concern about jobs; especially in these tough times. I know this makes our decision today hard, and no one wants to do anything that will hinder job creation and growth. But it is with these economic constraints in mind that we must also consider the implications of spending nearly $2 billion on a defense program that our military leadership says it simply does not need.

Building more F–22s does not allow for smart or efficient growth of our workforce. Moreover, the number of jobs lost on the F–22 will likely be matched by increased production of the F–35, which is a newer and more capable warplane. American workers are needed to meet this and other defense priorities, which strengthen our national security. Jobs should follow, as opposed to dictate, our defense needs.

For those concerned about cuts, I point out that the budget proposed by the President and Secretary Gates represents an increase, not a decrease, in defense spending. But this is not just an increase for the sake of spending.

Rather, it is a budget that recognizes that over the last two decades, the nature of conflict and war has fundamentally changed. It recognizes that we must continue to build the capacity to confront a wide spectrum of challenges—conventional and unconventional; regular and irregular—and better prepare for a future in which we will continue to engage in counterinsurgency.

Today, we must do what is in America's best interest. Today, we must focus on weapons systems that offer the maximum versatility and effectiveness, and prepare the military against the widest range of threats. And today, we must plan for our current and future counterinsurgency needs, as shaped by our experiences in Afghanistan and Iraq.

It is in this regard that I urge my colleagues to join me in supporting the Levin-McCain amendment, and adopt a better approach to defense spending.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KAUFMAN. 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. KAUFMAN. Madam President, I ask unanimous consent that the time during the quorum call be charged equally on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Madam President, I yield 5 minutes to the Senator from Washington, Mrs. MURRAY.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, I thank the Senator for yielding time on this important debate.

As we consider the future of the F–22 program, it is important for us to remember the most fundamental goal we have for our defense industry and the way we have met that goal for many decades. That goal is to give our men and women in uniform technology and equipment that is far superior to that of our enemy so they can protect themselves and defend our Nation. It has been our mission from the time of the Wright brothers to the days of Rosie the Riveter, to the era of stealthy technology.

But maintaining that technology has depended on an important partnership and that is a partnership between the Pentagon, which determines the needs of our war fighters, and industry, which does the research and design and builds the next generation of military equipment that meets those needs. It is a partnership that is vital to our military strength, to our economy, and to the health of our domestic industrial base.

Unfortunately, it is also a partnership that is being weakened by amendments such as the one we are considering today. Instead of treating military procurement such as the partnership that it is, this amendment envisions it as a one-way street. This amendment cancels a vital military program without adequate thought of the men and women we rely on to design and build the equipment our war fighters depend on without any consideration of the fact that if we end the F–22 program, we are cutting a link in technology that we will not be able to repair overnight.

As many of you know, this is not the first time I have come to the floor to talk about the erosion of our Nation's industrial base. It likely will not be the last. That is because protecting our domestic base is not about just one company or one program or one State or one industry. This is about our Nation's economic stability, it is about our future military capability, and it is about the ability to retain skilled family-wage jobs in communities throughout the country.

Just last week, the Aerospace Industries Association issued a major report that finds the Pentagon failed to consider industrial effects when choosing strategies. That report urged the Pentagon to take into account the impact decisions such as the one to stop production of the F–22 make on our manufacturing base. That report also noted that our manufacturing base was not taken into account in past Quadrennial Defense Reviews, and when Secretary Gates unveiled his program cuts in April, he specifically said defense industry jobs were not a factor in his decisions.

As our country faces two difficult but not unrelated challenges—safeguarding our country in a dangerous world and rebuilding a faltering economy—ignoring the needs of our industrial base should not be an option. Whether it is the scientists who are designing the next generation of military satellites or whether it is the engineers who are improving our radar systems or the machinists assembling our war planes, these industries and their workers are one of our greatest strategic assets. What if they, all of a sudden, were not available? What if we made budgetary and policy decisions that did not take into account the need of making sure we have a strong domestic workforce in our country?

Actually, that is not impossible or even unthinkable. It is actually happening today. We need to be clear about the ramifications of amendments such as the ones we are considering today because once we give up on producing this technology, once we say that certain research and development is no longer needed, we lose that. We lose it and we cannot rebuild it overnight.

Today, as we consider a critical tool for the future of our military across the globe, we have to also remember the partnership we have built with our industrial base because, unless we consider the needs of that partnership, we are not only going to continue to lose some of our best-paying American jobs, we are going to lose the backbone of our military might.

Supporting continued F–22 production will help defend against potential threats, it will protect family-wage jobs, and, most importantly, it will preserve our domestic base. That is important because we do not know what conflict will come in the future. We don't know what our challenges will be 10 or 15 or 20 or 30 years from now. If we lose our engineering or our production base and we face a challenge in the future and go back to rebuild that, it will never happen. We will be at a disadvantage in whatever future conflict we might face.

I urge our colleagues to think about the long-term interests of this decision. I oppose the amendment and I look forward to further debate.

I yield the floor.

Mr. LEVIN. Madam President, how much time remains on our side?

The PRESIDING OFFICER. The proponents have 35½ minutes, the opponents have 18½ minutes.

Mr. LEVIN. I yield to the Senator from Arizona as much of that time as he requires.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I thank the chair. I, again, thank my friend, the distinguished chairman, for proposing this amendment. I thank the distinguished chairman for being the sponsor of this amendment. It is a privilege to work with him on this as well as many other issues.

This amendment is probably the most impactful amendment I have seen in this body on almost any issue, much less the issue of defense. It boils down to whether we are going to continue the business as usual of once a weapons system gets into full production it never dies or whether we are going to take the necessary steps to reform the acquisition process in this country.

The F–22, in itself, is $1.75 billion. That is an impressive number anyplace outside the beltway. But more important than that, it is a signal that we are not going to continue to build weapons systems that are plagued with cost overruns, which outlive their requirements for defending this Nation and, very frankly, starts to gain control of the acquisition process which is completely out of control.

The Government Accountability Office recently concluded that there were over $295 billion in cost overruns in the last several years—$295 billion in cost overruns. Recently, a close friend of mine and great leader and former Secretary of the Navy wrote an article in the Wall Street Journal. He stated:

> When John McCain was shot down over Hanoi in 1967, he was flying an A–4 sky hawk. That jet cost $860,000.

By the way, I didn't know that cost to the taxpayers I had caused. But the jet cost $860,000.

> Inflation has risen by 700 percent since then. So Mr. MCCAIN's A–4 cost $6.1 million in 2008 dollars. Applying a generous factor of three for technological improvements, the price for a 2008 Navy F–18 fighter should be $18 million. Instead, we are paying about $90 million for each new fighter. As a result, the Navy cannot buy sufficient numbers. This is disarmament without a treaty.
>
> The situation is worse in the Air Force.

Then Secretary Lehman says:

> In 1983, I was in the Pentagon meeting that launched the F–22 Raptor. The plan was to buy 648 jets beginning in 1996 for $60 million each. . . .

That was in 1983 dollars.

> Now they cost $350 million apiece and the Obama budget caps the program at 187 jets.

Then he adds:

> At least they are safe from cyberattack since no one in China knows how to program the '83 vintage IBM software that runs them.

He then goes on to cite other problems, including Navy shipbuilding fiascoes, et cetera.

> . . . the Army's Future Combat System that was meant to re-equip the entire Army, the 400 percent cost overrun of the new Air Force weather satellite . . .

And similar cost overruns.

It is out of control, I say to my colleagues. I will match my commitment to equipping the men and women in the military with that of anyone in this body, but it has to stop, and this vote on the F–22 will determine whether it is business as usual with the earmarking and pork-barreling of billions of dollars which has bred corruption—we have former Members of the Congress residing in Federal prison—or whether we are going to finally get it under control.

Who better to be a spokesperson, in my view, than our Secretary of Defense? I have known and admired many Secretaries of Defense. I know of no one whom I admire more than Secretary Gates. He gave a very important speech, on July 16, at the Economic Club of Chicago—a remarkable speech. I hope all my colleagues would have the chance to read it. In part of it he says, about the problems we are having in defense spending:

> First, there is the Congress, which is understandably concerned, especially in these tough economic times, about protecting jobs in certain states and congressional districts. There is the defense and aerospace industry, which has an obvious financial stake in the survival and growth of these programs.
>
> And there is the institutional military itself—within the Pentagon, and as expressed through an influential network of retired generals and admirals, some of whom are paid consultants to the defense industry, and some who often are quoted as experts in the news media.

Secretary Gates goes on to say:

> As a result, many past attempts by my predecessors to end failing or unnecessary programs went by the wayside. Nonetheless, I determined in a triumph of hope over experience, and the President agreed—

I wish to emphasize my strong support and appreciation for the President's stand on this issue.

> —and the President agreed, that given the urgency of the wars we are in, the daunting global security environment we will inhabit for decades to come, and our country's economic problems, we simply cannot afford to move ahead with business as usual.

Then, later on, he talks about the F–22.

> Air superiority and missile defense—two areas where the budget has attracted the most criticism—provide case studies. Let me start with the controversy over the F–22 fighter jet. We had to consider, when preparing for a future conventional state-on-state conflict, what is the right mix of the most advanced fighter aircraft and other weapons to deal with the known and projected threats to U.S. air supremacy. For example, we now have unmanned aerial vehicles that can simultaneously perform intelligence, reconnaissance—

Et cetera.

> The President's budget would buy 48 of the most advanced UAVs. We also took into consideration the capabilities of the newest manned combat aircraft program, the stealth F–35 Joint Strike Fighter. The F–35 is 10 to 15 years newer than the F–22.

He goes on to say how important the F–35 is, and then he says:

The F–22 is clearly a capability we do need—a niche, silver-bullet solution for one or two potential scenarios—specifically the defeat of a highly advanced enemy fighter fleet. The F–22, to be blunt, does not make much sense anyplace else in the spectrum of conflict.

I ask my colleagues, would you ask yourselves why the F–22 has never flown over Iraq or Afghanistan. It has been in production for nearly 5 years. It has never flown over Iraq or Afghanistan. And I want to emphasize that I think it is an important fighter. We are building 187 of them. The question before this body is why we continue to build more, whether we continue to build more, or the F–35, the Joint Strike Fighter, which goes to the Marine Corps and the Navy and the Air Force. Is this the weapons system we need to balance our entire capability of manned aircraft?

I would ask my colleagues, since the F–22 was on the drawing boards and moved into production, look at the advancement in unmanned aerial vehicles. I say that as an old pilot. The unmanned aerial vehicles have been performing a magnificent job both in Iraq and Afghanistan. They have been a critical element sometimes on the battlefields. And this President's budget understands that and gives extreme priority to that.

So as we go on, in light of these factors, Secretary Gates goes on to say:

With the support of Air Force leadership, I concluded that 183—the program of record since 2005, plus four more added in the FY 09 supplemental—was a sufficient number of F–22s and recommended as such to the President.

The reaction from parts of Washington has been predictable for many of the reasons I described before. The most substantive criticism is that completing the F–22 program means we are risking the future of U.S. air supremacy. To assess this risk, it is worth looking at real-world potential threat and assessing the capabilities that other countries have now or in the pipeline.

The fact is, in the view of the President of the United States, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Chief of Staff of the Air Force, and most any objective observer of the military scene, they believe the F–22 is important, we need to have what we have, but it is now time to move on to the F–35, the Joint Strike Fighter.

So this amendment really means, are we going to look at the real and compelling needs we have to have in order to win the war in Afghanistan, continue our success in Iraq, and put our funds into that kind of equipment and weapons systems or are we going to continue?

Finally, I have great sympathy for the Senator from Georgia and other Senators who have come to the floor. I understand the sincerity of their views. I respect them. I would also point out, though, that to argue we should build weapons systems in the name of jobs is not what we should be about. What we should be about is procuring and building the best weapons systems to ensure our national security and how we can best equip the men and women who are in harm's way all around the world today.

So I understand the economic impact, particularly in these hard times. My sympathy goes out to the communities that are dependent on the contracts for the F–22 aircraft. All I can say to them is we will do everything we can to help you and your families and make the adjustments, and there will be—we continue to increase spending on defense. We hope that we will be able to provide you with the necessary jobs and manufacturing that would be devoted to what we have ascertained as our national defense weapons systems procurement priorities, I say with sympathy to my colleagues who are deeply concerned about the loss of jobs in these difficult economic times. But this is not the way to provide jobs. Our obligation is to defend this Nation.

So I think this amendment is overdue. I think it will be a significant, a very significant amendment, as I said before, as to whether we will get our priorities straight and listen to our esteemed Secretary of Defense, our President, our Chairman of the Joint Chiefs of Staff, and other military leaders in whose hands we entrust to make the tough decisions. I understand the final decision is here in Congress, but I also don't think we should dismiss the arguments that have been made by I think one of the finest men to ever serve this country, and that is Secretary of Defense Gates.

I yield the floor.

THE PRESIDING OFFICER. Who yields time to the Senator from Utah?

Mr. CHAMBLISS. I will be happy to yield 7 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Madam President, during his July 16 address, the Secretary of Defense, Robert Gates, said the military needed maximum versatility to bring to bear in a wide range of armed conflicts. Last January, he argued that ''our military must be prepared for a full spectrum of operations, including the [insurgent] type of combat we are facing in Iraq and Afghanistan as well as large-scale threats that we face from places like North Korea and Iran.''

I could not agree more with Secretary Gates. However, just as our Nation unwisely disregarded the hard-learned lessons of how to fight counter-insurgency operations after Vietnam, the Defense Department seems poised to make similar errors by limiting our capability to defeat the air threat of today and tomorrow: the integrated air defense system.

This advanced system is composed of extended-range Russian surface-to-air missiles such as the S–300 and advanced fighters such as the Su–30, which have already been sold in large numbers to China and India. Together, these systems make penetrating hostile airspace extremely difficult, if not deadly, for aircraft lacking the F–22's advanced stealth technology and capability for sustained supersonic speeds. It is these capabilities that enable the Raptor to have the unique capability to conduct stealth operations at any time of day or night.

Secretary Gates argues for ceasing production of the F–22 after only 187 are built because we will not face what the Pentagon refers to as a ''near-peer adversary'' for the foreseeable future.

For the sake of our Nation, I hope he is right. However, I believe this statement misses a critical point: advanced integrated air defense systems are comparably inexpensive and readily affordable by nations such as Iran, with its insistence on developing nuclear weapons.

History provides ample examples of the effective use of integrated air defense systems by nations that lack the resources to be considered a near-peer adversary of the U.S. As retired LTG Michael Dunn recently noted, North Vietnam defended its territory during the Vietnam war with what, at the time, was an advanced air defense system. This system, comprised of surface-to-air missiles and fewer than 200 fighters, was able to shoot down 2,448 American aircraft.

The 1973 War between Israel and Egypt is another example. The Egyptians learning from their recent defeats built an integrated air defense umbrella under which its forces were able to initially make significant territorial gains, while the Israeli Air Force faced serious losses. Only when the Egyptians advanced beyond the range of their surface-to-air missiles' umbrella was the Israeli Air Force able to inflict a significant blow.

A more contemporary example is the loss in the 1990s of an F–117 Nighthawk to the Serbians, who were not equipped with the latest air defense system.

Despite such examples, some argue additional F–22s are not necessary since stealthy jet-powered unmanned aerial vehicles or UAVs, which are still under development, will play an increasingly vital role in destroying critical ground targets. This is true for threats on the ground, but I am unaware of any plans to operationally deploy a UAV that can dogfight existing or next-generation Russian and Chinese jet fighters, which will be hunting these UAVs.

Our forces could be confronted with the next generation Russian and Chinese fighters soon. There have been numerous media reports the Russian Government is developing a new stealthy aircraft, presumably to counter the F–22. This aircraft called PAK–FA, is being developed jointly with the Indian Government. Additional media sources cite China's development of a similar twin engine, stealth aircraft known as the J–12.

Some argue that the F–35 Joint Strike Fighter can tackle those threats and defeat this new generation of advanced aircraft. While the F–35 is a

very capable stealth aircraft, it was designed to complement the F–22, not replace it. The fact is the F–35 is neither as capable a fighter nor as stealthy as the F–22. For example, the F–35 does not have, nor can be upgraded to use, the supercruise engines increasingly needed in today's stealth operations.

Remember the F–22 is the NASCAR racer of this air-dominance team. Fast and unseen, the Raptor will punch a hole in an enemy's defenses, quickly dispatching any challenger in the air and striking at the most important ground targets. The Joint Strike Fighter is the rugged SUV of the team. Impressive, but not as maneuverable or capable of sustained supersonic speeds, the F–35 will exploit the hole opened by the F–22 and attack additional targets and directly support our ground forces. This is not to say the F–35 is not a highly capable stealthy aircraft. But the F–35's role is to supplement the F–22, not substitute for it. Only by utilizing the strengths of both aircraft do we ensure air dominance for the next 40 years.

Furthermore, if the F–22 is such a boondoggle, why do our allies such as Japan and Australia want to spend billions to purchase the aircraft? Why does Australia, for instance, plan to purchase up to 100 F–35s and large numbers of UAVs, and yet remains interested in the F–22? Perhaps it is because Australia understands the Russians and the Chinese are developing even more sophisticated surface-to-air missile systems and stealth fighters, threats the F–22 is uniquely designed and equipped to destroy.

Others point out the F–22 has not been deployed in support of our operations in Iraq and Afghanistan. This is true. However, there were recent plans to deploy the F–22 to the Persian Gulf. But according to the July 9, 2008, edition of the widely respected Defense News, the Pentagon overruled those plans, citing concerns about ''strategic dislocation.'' This means the F–22 is hardly a dinosaur. It is a weapon that can change the balance of power in a region and deter our adversaries.

In conclusion, I am reminded of a point author Michael Korda made in his book about the Battle of Britain. He observed that even though the two British prime ministers before Winston Churchill pursued a policy of appeasement, they also committed their government to develop and procure the three pieces of equipment: the Spitfire fighter, Hurricane fighter and radar, which were to ensure that nation's survival during the Battle of Britain.

I hope the Senate will profit from these lessons of history and vote against the McCain-Levin amendment.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN. How much time remains for the proponents?

The PRESIDING OFFICER. There is 21 minutes remaining.

Mr. LEVIN. I ask Senator WYDEN, how much time does he need?

Mr. WYDEN. I believe 10 minutes would be plenty.

Mr. LEVIN. I yield 10 minutes to Senator WYDEN.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Madam President, I rise this morning to support the Levin-McCain amendment. It seems to me that buying more F–22s at this point would meet the very definition of government waste.

What you have is a situation where the Pentagon, which, suffice it to say, has not exactly been shy over the years in terms of calling for additional weapons, is on record as saying this is unnecessary. Further, I have been out talking with members of the Guard at home and trying to get their sense of what is needed in this dangerous time, and they have never once mentioned something like this.

They talk, for example, about body armor. They talk about boots. They don't talk about more F–22s. Suffice it to say, when the Congress is now having a debate about trying to find additional money for health care, for example, to go out and spend close to $2 billion to buy seven more F–22 fighters the Air Force says it doesn't want defies common sense.

My home State, for example, would love to hire back police and other essential workers who have been laid off. Instead of building seven planes, we could be restoring infrastructure and developing renewable energy. Again, in my home State, we have had budget shortfalls. We have seen reductions in essential services, law enforcement being one. The debate is not about necessary steps to ensuring a strong national defense. The question is about whether the U.S. Congress wants to spend close to $2 billion to pay for more fighter jets the Air Force does not want.

It is also important to remember that the F–22 is not being purchased for wars the United States is currently fighting. Certainly, the Taliban and Iraqi insurgents do not have an Air Force. The F–22 is being purchased to fight in possible future conflicts with other countries that may have an air force. While I strongly believe the Pentagon ought to be able to prepare for such possibilities, it is the Pentagon that is telling us we don't need these additional F–22s.

It is also important to note that the Pentagon has purchased 187 F–22s. There is not a debate about whether the United States ought to have fighters in our arsenal. The question is whether the Air Force needs 194 of them instead of 187. We have a very good Secretary of Defense, Robert Gates. The Secretary has said that 187 is sufficient to combat current and future threats. He is the one who said that more are not needed. He is the one who said:

> We must break the old habit of adding layer upon layer of cost, complexity, and delay to systems that are so expensive and so elaborate that only a small number can be built, and that are then usable only in a narrow range of low probability scenarios.

Secretary Gates has hit the nail about as perfectly on the head as one can. He and our country want the strongest defense possible. But there are ways to make better use of that $1.75 billion than on seven more F–22s.

I serve on the Senate Select Committee on Intelligence. I know there are threats to our forces every single day. I see the Senator from Georgia who serves on the Intelligence Committee. He believes strongly about this as well. We need to make sure we are protecting our troops in harm's way, but we have a variety of choices in order to secure the protection our troops have been in need of. I intend to work with Chairman LEVIN, Secretary Gates, the distinguished Senator from Arizona, and the President to ensure we replace the current F–15 with more capable and safer fighters.

Last month, I visited with some of the 3,000 members of the Oregon National Guard's 41st brigade combat team, as they trained for their current deployment to Iraq. Not a one of the soldiers told me that their big concern was whether the Air Force would have 194 F–22s instead of 187. They talked to me instead about the best vehicles, the best medical care if they are injured, about the best body armor. Not one of them mentioned the F–22.

I am not voting against the F–22. I am voting for the soldier, the taxpayer. They both deserve our government's greatest protection at this critical time in our history.

I urge colleagues to support the Levin-McCain amendment.

I yield the floor.

Mr. INOUYE. Mr. President, I rise today to address the F–22 program. For the past week as the debate has swirled around on this program I have not spoken on the subject. My colleagues know that I have strongly supported the F–22 program over the past two decades. Why? Because it is without question the world's most advanced fighter aircraft. It's capabilities far outstrip anything else in the world. There simply is no match.

When the Advanced Tactical Fighter Program began more than 20 years ago, no one could foresee what the world would look like in 2009. We planned to build 750 F–22s in order to match the Soviet Union's assumed far greater number of advanced fighters. The F–22 was designed with a goal of defeating 10 Soviet fighters apiece. The strategy was that using a combination of stealth and an advanced radar the F–22 would be able to attack Soviet fighters long before the adversary knew they were there.

I am pleased to note that 20 years later as we train with the F–22 our Air Force pilots report that is exactly what it can do. Time after time as we exercise with the F–22, the results are nearly the same. The F–22 defeats all

adversaries nearly with the same predictions as the designers hoped it would do.

What has changed, however, is that the Soviet Union no longer poses the threat that was assumed by the Defense Department in the 1980s. So then, critics say, why do we need to continue to buy more? We will soon have 187 aircraft that should be sufficient.

They note that the F–22 hasn't been used in Afghanistan. While that is considered a clear argument that it isn't needed, it is laughable. As far as I know al- Qaida and the Taliban don't have an air force. The F–22 is designed to defeat conventional military forces. It is designed, for example, to counter a conventional attack by an adversary against one of its neighbors. Were the Chinese to attack Taiwan, the F–22 would provide an incredible counter to the Chinese. The same would be true if a resurgent Russia were to try to reclaim countries in the Baltics. Unless we truly believe that we will never face another nation state in a conventional conflict then the F–22 is indeed necessary.

At 187 aircraft, the F–22 provides a very credible deterrent to those nations. Is it sufficient? Perhaps. Will the Joint Strike Fighter replace it, not a chance. The Joint Strike Fighter, we expect, will be a terrific aircraft, but it is designed primarily to attack ground targets. In a battle against the F–22, it would likely lose each engagement. With better trained pilots and tactics, the Joint Strike Fighter could probably give the F–22 a run for its money, but it was never designed to replace the F–22 and should not be viewed as such.

To me what is maddening about this debate is the sense that the decision is so clear cut that the F–22 program should be killed that it is only parochial politics that could keep it alive. That is pure hogwash.

The Nation has invested more than $65 billion to develop and buy 187 aircraft. If we choose to buy more F–22s we will do so at a very reasonable price—about $150 million. While that is not cheap by any stretch of the imagination, it is far cheaper than what we paid to initiate the program. And, if we kill the program and decide that we need to restart it in a few years, it is far cheaper than we would have to pay to resuscitate production.

This is not a boondoggle. We don't have critics saying the program is flawed and should be killed. Everyone agrees it is a great aircraft. While some of my colleagues obviously support the program because it means jobs in their States, others like myself who have no F–22 jobs in their States support the program because of its capabilities and their concern for the future. Why then has it become an issue over which to veto a bill? Why are the stakes so high with this program?

I have the greatest respect for the President and the current Secretary of Defense. I have supported both in almost every initiative they have advocated. But I see in this case a pattern that I have witnessed over and over again.

Time after time our new leaders, both civilian and military, look at a program and see all the reasons why it isn't the right one. For example, in the early days of the Clinton administration the C–17 program was nearly terminated because the production of the aircraft wasn't performing up to expectations. I recall 2 years prior to that the Appropriations Committee recommended a pause in funding for the C–17, not because we had lost confidence in the program. We still believed in the requirement for the aircraft, but the program wasn't performing. Up to that point, we had appropriated funds for 16 C–17s in total, but not a single one had been delivered, and there were very few coming together on the factory floor in Long Beach. We weren't recommending cancellation, but it served notice that attention was needed. However, the attention that the program received was mostly from critics who sought its termination.

When the Clinton administration came into office many of the new officials were convinced that the C–17 should be terminated. In that instance the Pentagon mandated a study to determine whether the C–17 was still required. Luckily the conclusion was that yes the plane was still needed and those who were calling for its cancellation, including some in Congress, would not get their way.

It was only a few years earlier that Secretary Cheney determined that the V–22 should be terminated. He was justifiably concerned that the price was increasing and that the program was taking longer than planned. It took the concerted effort of the Congress to stand up and say that we would not allow the program to be terminated. Certainly there were those in the Pentagon who agreed with the Secretary, but the Marines did not.

I am told that a few years prior to that my good friend Senator Rudman weighed in with Chairman Stevens to overrule the Air Force who wanted to kill the F–117 after the production of only one squadron of aircraft. I should point out that the F–117 was not built in New Hampshire. There might have been some modest amount of work associated with the plane in his state, but the reason that Senator Rudman insisted that we keep buying the F–117 was because of its unique capabilities not for any parochial reason.

My colleagues all know the history of the B–2 program. It was started as a classified program in 1981. The Air Force was going to build 132 bombers. We expected it to cost between $20 and $25 billion in total. The contractor built a huge state of the art factory out in the high desert of California to handle the production of the aircraft. Because it was highly classified every precaution had to be taken to protect national security all of which dramatically increased the cost to produce the aircraft.

Clearly the contractor and Air Force were overly optimistic on the cost and schedule of the program. Within 5 years it was clear that the program was not going to be completed within $25 billion. As development delays occurred, costs continued to escalate. The Air Force was unwilling to devote more resources to the program so in a series of moves it consistently delayed production of the aircraft and transferred dollars appropriated to build the aircraft to be used instead to cover higher development costs. By the time I became chairman, it was clear that the program would exceed its budget, but it was also clear that if it were successful it would provide an unmatched capability to this Nation. As costs mounted, the Defense Department determined that it would not be able to purchase all 132 aircraft. First production was cut to 75 and eventually it dropped to 20. In 1996 as the program was being killed, the contractor offered to produce three per year for several years at a price of about $600 million per copy. However, by that time support for the program had eroded so that neither the Pentagon nor the Congress would take up the offer. Instead, by only buying a total of 21 aircraft, we invested over $2 billion per plane making it the most costly aircraft in history.

This situation isn't unique to aircraft programs. In the case of shipbuilding, I remember vividly Secretary Cheney's decision to cancel the Seawolf submarine. As a result of that decision, the three Seawolf-class submarines that were eventually built were very expensive. Because we only bought three, the average cost of each submarine was more than $4 billion. Had we built the 29 originally planned, I can only speculate about the cost, but it would certainly have been less than the price we are now paying for its replacement. What is even more galling is that during that time we were still building the capable SSN–688 Los Angeles class submarines and only paying about $800 million apiece for them. Instead of reinvigorating that program, we cancelled the Seawolf program and proceeded with the New Attack submarine, now called the Virginia class, in order to move to a cheaper submarine. Regrettably, I have to report that the cost of the Virginia class submarine is so high that we have only been able to afford to purchase one per year. When I became chairman we were buying four Los Angeles class submarines a year and paying only 1/3 the cost of the Virginia class. Is the Virginia a better submarine? Surely it is. The technological advances that the Nation has developed between the time the Los Angeles subs were designed and this decade have allowed for substantial improvements. Is it better than the Seawolf? That is debatable.

The pattern I have watched during my tenure is a mix of four things.

First, programs are cancelled before or as they reach maturity. Why? Sometimes because new leadership wants to go in a new direction more often, and important costs increase and schedules are delayed which erode the support for the programs. Sometimes programs are cancelled because we believe the promised replacement will be more capable or cheaper. And sometimes we argue times have changed and we don't need them. In a few cases it is clear that the program wasn't performing as expected and should be terminated.

For the F–22 some will argue it is too expensive. That was the argument against the V–22 program. Some say we simply don't need any more. That was the argument used to kill the B–2. Would we like to have more B–2s in the inventory today? I, for one, surely would.

Others will say the threat doesn't warrant buying more F–22s. This is where I have my gravest concern. Some experts will tell you that we know that potential adversaries are working on fifth generation fighters. If in 5 years the Chinese unveil a new fifth generation fighter and begin to produce it in numbers will we regret the decision to kill the F–22, I believe we would.

I am told that no one is likely to be able to develop and build an F–22 equivalent aircraft for a generation. The skill and funding required to do so exceeds any foreign nation's ability. But in my view, they might not be able to design an F–22 themselves, but that doesn't mean they can't steal the plans.

We were told that the North Koreans were years away from a long range missile, then were surprised when they unveiled the Taepo dong. We were surprised when Pakistan conducted a nuclear test. We were shocked when the Soviet Union collapsed and most Americans were shocked when they learned about al-Qaida after 9/11. if there is one thing that shouldn't surprise us is that we cannot foretell the future.

So as my colleagues deliberate on the F–22 program I come down on the side of caution. I believe it makes more sense at this time to continue to produce the program to hedge our bets against the future.

To my knowledge there isn't a single worker in the State of Hawaii whose job is dependent of continuing production of the F–22, but I believe the program merits continued production.

I believe it is unfortunate that the debate on this matter has taken on an overblown proportion. One can make the case that 187 could be sufficient. Our Secretary and Chairman of the Joint Chiefs agree that is the case. But just like the Marines argued for continuing to produce the V–22, the leaders of our Air National Guard and those in charge of flying the aircraft argue that we need more—even though the Defense Secretary said it should be cancelled.

When some say well, the Air Force leaders say they have enough, I will remind my colleagues that the Air Force said the same thing about the F–117 after we only produced one squadron.

When some say we should kill this and move on to the Joint Strike Fighter, I remember the Seawolf debate. We killed that submarine to build a cheaper alternative. Will we do the same thing here and be disappointed in the cost of the so-called alternative?

On February 2, 1989, I was selected as the chairman of the Subcommittee on Defense of the Appropriations Committee. For the past 20 years, it has been my distinct honor to serve either as the chairman of the ranking member of this subcommittee. As my colleagues all know, the defense subcommittee has the largest budget of any of our Appropriations subcommittees, and to many of us it is probably the most important of our subcommittees. It has required a great deal of my time and attention over the past 20 years. For me it has been a labor of love. I have the greatest respect for the men and women of this Nation who are willing to serve and who guarantee constitutional freedoms for the rest of us. It has been my priority to support their cause during this period.

As I consider the F–22, I do so with the past twenty years as my guide. In my opinion what I have learned has taught me to be cautious as we kill programs. Therefore today I will cast my vote to continue the F–22 program.

Mrs. BOXER. Madam President, I am going to continue to support production of the F–22 Raptor because we are still hearing strong indications from top military leaders that we need additional aircraft. Last month, General Corley, the Commander of the Air Force Air Combat Command, wrote that ending procurement of the F–22 would put our ability to execute our nation's military strategy at ''high risk'' over the ''near to mid-term.''

In addition, LTG Harry M. Wyatt III, the Director of the Air National Guard, has stated that these aircraft are particularly important for homeland defense missions, including addressing potential threats from cruise missiles.

GEN Merrill McPeak, retired, the former Chief of Staff of the Air Force, also recently added that ending F–22 procurement ''is a real mistake,'' and that ''we certainly need some figure well above 200.''

I am also not prepared to vote to end production because I have yet to see a conclusive study indicating that 187 F–22s are enough. In fact, as late as May 19 of this year, GEN Norman A. Schwartz, the Chief of Staff of the Air Force, told the House Armed Services Committee that ''243 F–22s is the right number. . . .''

The United States has made a significant investment in the F–22 program. Before terminating it, we must see in unequivocal terms how the defense planning process has determined that requirements and threats have changed to stop production at 187.

The next Quadrennial Defense Review—QDR—which outlines our national security strategy—is scheduled for submission by the Department of Defense in early 2010. This important document shapes how our military will respond to threats to our national security. The timing of today's vote ignores this review.

I will feel more confident making a decision on this important program after reading the QDR, as it will shape our national security strategy for years to come. As GEN James Cartwright, the Vice Chairman of the Joint Chiefs of Staff, said during his confirmation hearing for his second 2-year term, ''The military requirement right now [for the F–22A] is associated with the strategy that we are laying out in the Quadrennial Defense Review.''

While I realize that there are compelling arguments on both sides of this issue, I do not believe we have enough information at this time to shut down the F–22 line and terminate the program at 187 aircraft.

The PRESIDING OFFICER. Who yields time?

Mr. CHAMBLISS. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Georgia has 11 minutes; the Senator from Michigan has 15 minutes.

Mr. LEVIN. Madam President, I am not sure how many other Senators want to speak or whether the opponents have speakers remaining on their side.

Mr. CHAMBLISS. Madam President, Senator INHOFE indicated a desire to speak. He is tied up in an EPW Committee hearing. He may be able to get here.

Mr. LEVIN. We would like to be at the end of the line, Senator MCCAIN and I.

Mr. CHAMBLISS. I will be happy to make some comments. Then Senator MCCAIN and Senator DODD and the Senator from Michigan could close it out. If Senator INHOFE comes in, we will give him a couple of minutes.

Madam President, would the Chair notify me when I have used 5 minutes?

The PRESIDING OFFICER. The Chair will so notify.

Mr. CHAMBLISS. Madam President, I want to make a couple of quick comments relative to some of what has been said. First, with regard to Senator WYDEN's comments concerning the National Guard, sure, all of us want to make sure we equip our Guard, our Reserve, as well as our active-duty force with all the needs they have. I would cite him to the letter of General Wyatt, who is the head of the Air Force Guard. General Wyatt says the F–22 is uniquely qualified to fill the needs the Guard has for its national security mission. To even slightly indicate that the Guard has issues with this program is simply not correct. The Guard is on record as being a strong supporter of this program.

I have a letter from retired GEN David Bockel, retired from the United States Army. He now is the acting executive director of the Reserve Officers Association. Let me quote part of this:

War plans of the United States are predicated upon technological air dominance to provide asymmetric advantage for victory. Military experts believe the current cap of 187 F–22s is an inadequate number of aircraft to ensure no future threat can impede the U.S. air dominance. The minimum number of F–22s required to ensure a strong defense is 250.

I ask unanimous consent that the letter of retired General Bockel be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESERVE OFFICERS ASSOCIATION,
Washington, DC, July 20, 2009.

Hon. SAXBY CHAMBLISS,
Russell Office Building,
Washington, DC.

DEAR SENATOR CHAMBLISS: The Reserve Officers Association, representing 65,000 Reserve Component members, supports additional procurement of the F–22 Raptor Aircraft. ROA urges Congress to authorize and appropriate funds for continued production of the F–22 Raptor.

War plans of the United States are predicated upon technological air dominance to provide asymmetric advantage for victory. Military experts believe the current cap of 187 F–22 is an inadequate number of aircraft to ensure no future threat can impede U.S. air dominance. The minimum number of F–22s required to ensure a strong defense is 250.

Potential adversary nations are committed to producing their own fifth-generation aircraft in the immediate future. Not providing further funding for this crucial weapons system places at risk our nation's ability to meet known and near future threats. The United States can ill afford a fighter gap or to rely on legacy aircraft.

Thank you for your efforts on this key issue, and other support to the military that you have shown in the past. Please feel free to have your staff call ROA's legislative director, Marshall Hanson, with any question or issue you would like to discuss.

Sincerely,

DAVID R. BOCKEL,
Major General, USA (Retired),
Acting Executive Director.

Mr. CHAMBLISS. I also have quoted earlier the comments by an active-duty general, a guy I consider a great American hero, not just because he falls in that category of wearing the uniform of the United States, but he is standing up to the personnel at the Pentagon. He is saying: You guys are wrong.

For an active-duty general to do that takes significant courage. This is a guy I want in the foxhole with me. That is General Corley, commander of Air Combat Command, who very clearly says in a letter that we have previously entered into the RECORD that a fleet of 187 F–22s puts execution of our national military strategy at high risk in the near to midterm and that the minimum number of F–22s we need, in his opinion, is 381.

I want to also talk for a minute about Senator MCCAIN's comments on the cost. This is an expensive weapons system, but it is also the most sophisticated weapons system ever designed by mankind. Most importantly, it is doing its job. It is doing its job in a very professional way. Instead of costing the $350 million Senator MCCAIN stated in his earlier statements, because of a multiyear procurement contract we entered into between the Pentagon and the Air Force, as approved by this body—and I know Senator MCCAIN objected to that and I understand that—but by a vote of 70 to 28, that multiyear contract was approved by this body as well as by the House. As a result, instead of paying the $350 million per copy he alluded to, we are today, under that multiyear contract, paying $140 million a copy. That is in comparison to the $200 million a copy that will be paid for every single F–35 we are buying in this budget. The figure for 200 F–35s in this budget exceeds $6 billion.

There are a number of people who are watching this debate out there today. Certainly those folks at the Pentagon are anxiously awaiting the results of the vote. The White House is anxiously awaiting the results of the vote. The Chinese are anxiously awaiting this vote. Let me tell colleagues why. I want to quote from an article of July 19 from a gentleman named Robert D. Fisher, Jr., who is a senior fellow with the International Assessment and Strategy Center. He writes:

Though the Chinese government says next to nothing and the U.S. Government says very little, what is known about China's fifth-generation fighter program is disturbing. Both of China's fighter manufacturers, the Shenyang and Chengdu Aircraft corporations, are competing to build a heavy fifth-generation fighter, and there are serious indicators China may be working on a medium-weight fifth-generation fighter similar to the F–35. China can be expected to put a fifth-generation fighter on its future aircraft carriers, and it can be expected to build more than 187.

I ask unanimous consent that that article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Times, July 19, 2009]

F–22 FIGHTERS FOR JAPAN

(By Richard D. Fisher Jr.)

If Japan's long-standing effort to acquire the Lockheed-Martin F–22 Raptor fifth-generation superfighter falls victim to Washington power politics, the United States may inadvertently encourage an Asian arms race over which it may have little control.

It is fortunate for the United States that in what may be the last year a deal is possible, Senate Appropriations Committee Chairman Daniel K. Inouye and his supporters have decided to lead an effort to reverse a 1998 law barring foreign sale of the F–22.

Through Mr. Inouye's efforts Japan now knows a slightly degraded export model of the Raptor may take five years to develop and cost about $290 million a plane for about 40, compared to the estimated $150 million the U.S. Air Force pays.

Japan's long-standing quest to obtain the F–22, however, may be shot down amid the intense political struggle over the F–22s very future. President Obama and Defense Secretary Robert M. Gates have made termination of F–22 production at 187 planes a symbolic goal of their effort to cut defense spending and reorient U.S. military strategy. This has been challenged recently by the House Armed Services Committee, which approved the production of 12 more Raptors, and a Senate committee that approved production of seven more. However, the administration immediately threatened a veto, and the F–22's opponents are working hard to ensure that production ends in 2011 as currently planned.

After 2011, the F–22's costs will grow significantly, so Japan and its U.S. supporters have little time to nail down a deal. However, some U.S. officials have long doubted that Japan can afford to pay for the F–22, which is why the George W. Bush and Obama administrations have not seriously promoted the F–22 for Japan. Mr. Gates reportedly favors selling Tokyo the smaller, somewhat less capable and less expensive Lockheed-Martin F–35 Lighting II.

While Japan may also purchase the F–35, there are two important reasons Washington should fully support Japan's goal to acquire the F–22. First, the F–22 will be the only combat aircraft capable of countering China's expected fifth-generation fighters. Second, selling Japan the Raptor may become a critical nonnuclear means for Washington to help Japan deter a China on its way to becoming a military superpower by the 2020s. If Washington cannot provide decisive nonnuclear means to deter China, Japan may more quickly consider decisive deterrents such as missiles and nuclear weapons.

Though the Chinese government says next to nothing and the U.S. government says very little, what is known about China's fifth-generation fighter program is disturbing. Both of China's fighter manufacturers, the Shenyang and Chengdu Aircraft corporations, are competing to build a heavy fifth-generation fighter, and there are serious indicators China may be working on a medium-weight fifth-generation fighter similar to the F–35. China can be expected to put a fifth-generation fighter on its future aircraft carriers, and it can be expected to build more than 187.

Furthermore, China's development of anti-access capabilities such as anti-ship ballistic missiles, its buildup of nuclear-missile and anti-missile capabilities and space-warfare weapons will increasingly undermine U.S. strategic guarantees for Japan. China's development of long-range anti-air and surface-to-air missiles also threatens the electronic support aircraft critical to the ''networked'' U.S. air-warfare paradigm, meaning that jet fighters could quickly lose force-multiplying radar aircraft, tankers and communication satellites. As such, Japan is correct to prefer the F–22, which reportedly can fly 300 to 400 mph faster and two miles higher than the F–35—an aircraft optimized for attack, not air-superiority missions.

If Japan is serious about the F–22 and its military security, it will have to pay for both. But if Washington is serious about sustaining a strategic alliance, it should sell the Raptor to Japan and be prepared to do more as China's military looms larger.

Mr. CHAMBLISS. There is another group watching very anxiously out there. It is a group of men and women who wear the uniform of the U.S. Air Force. They are lieutenants, captains, and majors. They are watching this anxiously because they are saying to themselves: I signed up to be a part of a U.S. Air Force that believes in putting men and women in cockpits, men and women who are going to carry the fight to the enemy. What am I hearing from Members of Congress? What am I hearing from the leadership at the Pentagon? That we are going to move away from the most advanced fighter in the world today and move to a

smaller fighter? That we are going to move away from fighters maybe even altogether by going to UAVs? Is this the Air Force I signed up for?

I can tell my colleagues why they are anxiously awaiting the outcome. They have talked to me time and time again about the fact that they are concerned about their future in the U.S. Air Force. The worst thing we can do is to discourage those brave men and women who want to make a career of the Air Force and want to be wearing the two, three, and four stars one of these days. I assure my colleagues those lieutenants and those captains and those majors are watching what this body does from a policy standpoint today. They know where their leadership at the Pentagon is coming from. They don't like what they are hearing. They are now looking to Congress to fulfill the role that John Hamre, the director of CSIS, has said time and time again, and that is to objectively review the budget the Pentagon sends to the hill. We are in the process of doing that and exercising the type of oversight we should exercise.

I urge my colleagues to vote against this amendment.

I yield 2 minutes to Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I know almost everything that can be said has been said. Having served on the Armed Services Committee for quite some time and having watched this, what is kind of worrisome to me is that when we started out the F–22 program, the fifth generation fighter program, at that time they were talking about 750. Then the numbers started coming down and approached, I guess, 243. The Air Force officials have repeatedly stated that no fewer than that would be sufficient with a moderate level of risk.

My concern has been the same concern I have when we are talking about ground capability, when we see countries such as China and Russia passing us up in areas. I will not bring up the NLOS cannon right now. But there are many places where our prospective enemies have better equipment than we do. We do know China has their J–12s; and Russia, I believe they are calling theirs the T–50s. We do know those are fifth-generation fighters. It is very disturbing to me that we would consider stopping at this point when this is not going to be adequate to get us out of the medium-risk category.

So I certainly support the effort to maintain those seven. Quite frankly, when Senator CHAMBLISS offered the amendment to expand it by seven, I was thinking we should really be shooting for more, and I think he agreed with that. However, apparently with the exports out there and with the additional seven that were put in, in the committee, that would be enough to keep the line open. So I strongly support the effort to keep those numbers where they are.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan.

Mr. LEVIN. Madam President, how much time remains?

The PRESIDING OFFICER. Fourteen minutes 45 seconds.

Mr. LEVIN. How much time do the opponents have?

The PRESIDING OFFICER. Forty-five seconds.

Mr. LEVIN. Well, if the Senator from Arizona would go, and then Senator DODD, and then myself.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, how much time do we have remaining?

The PRESIDING OFFICER. Forty-five seconds.

Mr. MCCAIN. Madam President, we would be glad to yield a couple more minutes to the Senator from Connecticut.

Mr. LEVIN. Madam President, I yield 2 additional minutes to the Senator from Connecticut.

Mr. MCCAIN. Three, four. I ask the Senator, do you want to go ahead now?

Mr. DODD. Madam President, I will wait a couple of minutes.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I will be fairly brief. This argument has been made, and we pretty well covered most of the issue. I would remind my colleagues that all the things we do are a matter of choice because we do not have unlimited amounts of funding, obviously, and if you spend money on one project, then obviously you may have to spend less on another. That is the case of the F–35, if we do not eliminate this $1.75 billion.

But most importantly, I want to point out again, this amendment is more than just about a weapons system. This amendment is about whether we will stop doing business as usual; that is, continuing to fund weapons systems that are no longer needed and unnecessary. We are not saying the F–22 is not a good aircraft. We are saying it is time to end the production of the F–22.

The President of the United States has threatened to veto this entire bill. That is not good for the men and women in the military to have to go through this whole process over again. The Chairman of the Joint Chiefs of Staff, the Chief of Staff of the Air Force, and, very importantly, the Secretary of Defense, who has served now under two Presidents and has gained the respect and appreciation of all of us for his service—Madam President, I ask unanimous consent that Secretary of Defense Gates' speech last July 16 to the Economic Club of Chicago be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF DEFENSE, OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE (PUBLIC AFFAIRS).

ECONOMIC CLUB OF CHICAGO

(As Delivered by Secretary of Defense Robert M. Gates, Chicago, IL, Thursday, July 16, 2009)

Thank you, Secretary Daley, for that kind introduction.

It's an honor to be at the Economic Club of Chicago. I certainly appreciate the special arrangements you made to have me here this afternoon.

I thank all the distinguished citizens of this great city who came here today. I am mindful I am speaking in the adopted hometown of my boss. President Obama sends his greetings, as do Rahm Emanuel and David Axelrod and the rest of the Chicago crew. They are no doubt discovering that Washington is the true ''Windy City.''

The issue that brings me here today is central to the security of all Americans: the future of the United States military: How it should be organized, equipped—and funded—in the years ahead, to win the wars we are in while being prepared for threats on or beyond the horizon. Earlier this year, I recommended to President Obama—and he enthusiastically agreed—that we needed to fundamentally reshape the priorities of America's defense establishment and reform the way the Pentagon does business—in particular, the weapons we buy, and how we buy them. Above all, to prepare to wage future wars, rather than continuing the habit of rearming for previous ones.

I am here on relatively short notice to speak publicly about these matters because Congress is, as we speak, debating the president's defense budget request for the next fiscal year, a budget request that implements many needed reforms and changes. Most of the proposals—especially those that increase support for the troops, their families, and the war effort—have been widely embraced. However, some of the crucial reforms that deal with major weapons programs have met with a less than enthusiastic reaction in the Congress, among defense contractors, and within some quarters of the Pentagon itself. And so I thought it appropriate to address some of these controversial issues here—in a place that is, appropriately enough not only the adopted home of our Commander-in-Chief, but also a symbol of America's industrial base and economic power.

First, some context on how we got to this point. President Obama's budget proposal is, I believe, the nation's first truly 21st century defense budget. It explicitly recognizes that over the last two decades the nature of conflict has fundamentally changed—and that much of America's defense establishment has yet to fully adapt to the security realities of the post-Cold War era and this complex and dangerous new century.

During the 1990s, the United States celebrated the demise of the Soviet Union and the so-called ''end of history'' by making deep cuts in the funding for, and above all, the size of the U.S. military, including a 40 percent drop in the size of the Active Army. This took place even as a post-Cold War world grew less stable, less predictable, and more turbulent. The U.S. military, with some advances in areas such as precision weaponry, essentially became a smaller version of the force that held off the Soviets in Germany for decades and expelled Iraq from Kuwait in 1991. There was little appetite for, or interest in, preparing for what we call ''irregular warfare''—campaigns against insurgents, terrorists, militias, and other non-state groups. This was the bipartisan reality both in the White House and in Congress.

Of course, after September 11th, some things did change. The base defense budget—not counting spending for the wars—increased by some 70 percent over the next eight years. During this period there were important changes in the way U.S. forces were organized, based and deployed, and investments were made in new technologies such as unmanned aerial vehicles. However, when all was said and done, the way the Pentagon selected, evaluated, developed, and paid for major new weapons systems and equipment did not fundamentally change—even after September 11th.

Indeed, the kinds of equipment, programs, and capabilities needed to protect our troops and defeat the insurgencies in Iraq and Afghanistan were not the highest priority of much of the Defense Department, even after several years of war.

I learned about this lack of bureaucratic priority for the wars we are in the hard way—during my first few months on the job as the Iraq surge was getting underway. The challenges I faced in getting what our troops needed in the field stood in stark contrast to the support provided conventional modernization programs—weapons designed to fight other modern armies, navies, and air forces—that had been in the pipeline for many years and had acquired a loyal and enthusiastic following in the Pentagon, in the Congress, and in industry. The most pressing needs of today's warfighter—on the battlefield, in the hospital, or at home—simply lacked place and power at the table when priorities were being set and long-term budget decisions were being made.

So the most important shift in President Obama's first defense budget was to increase and institutionalize funding for programs that directly support those fighting America's wars and their families. Those initiatives included more helicopter support, air lift, armored vehicles, personnel protection equipment, and intelligence, surveillance, and reconnaissance assets for our troops in Iraq and Afghanistan. In addition, we also increased funding for programs that provide long-term support to military families and treatment for the signature wounds of this conflict—such as traumatic brain injury and post traumatic stress.

But, while the world of terrorists and other violent extremists—of insurgents and IEDs—is with us for the long haul, we also recognize that another world has emerged. Growing numbers of countries and groups are employing the latest and increasingly accessible technologies to put the United States at risk in disruptive and unpredictable ways.

Other large nations—known in Pentagon lingo as ''near-peers''—are modernizing their militaries in ways that could, over time, pose a challenge to the United States. In some cases, their programs take the form of traditional weapons systems such as more advanced fighter aircraft, missiles, and submarines.

But other nations have learned from the experience of Saddam Hussein's military in the first and second Gulf wars—that it is ill-advised, if not suicidal, to fight a conventional war head-to-head against the United States: fighter-to-fighter, ship-to-ship, tank-to-tank. They also learned from a bankrupted Soviet Union not to try to outspend us or match our overall capabilities. Instead, they are developing asymmetric means that take advantage of new technologies—and our vulnerabilities—to disrupt our lines of communication and our freedom of movement, to deny us access, and to narrow our military options and strategic choices.

At the same time, insurgents or militias are acquiring or seeking precision weapons, sophisticated communications, cyber capabilities, and even weapons of mass destruction. The Lebanese extremist group Hezbollah currently has more rockets and high-end munitions—many quite sophisticated and accurate—than all but a handful of countries.

In sum, the security challenges we now face, and will in the future, have changed, and our thinking must likewise change. The old paradigm of looking at potential conflict as either regular or irregular war, conventional or unconventional, high end or low—is no longer relevant. And as a result, the Defense Department needs to think about and prepare for war in a profoundly different way than what we have been accustomed to throughout the better part of the last century.

What is needed is a portfolio of military capabilities with maximum versatility across the widest possible spectrum of conflict. As a result, we must change the way we think and the way we plan—and fundamentally reform—the way the Pentagon does business and buys weapons. It simply will not do to base our strategy solely on continuing to design and buy—as we have for the last 60 years —only the most technologically advanced versions of weapons to keep up with or stay ahead of another superpower adversary—especially one that imploded nearly a generation ago.

To get there we must break the old habit of adding layer upon layer of cost, complexity, and delay to systems that are so expensive and so elaborate that only a small number can be built, and that are then usable only in a narrow range of low-probability scenarios.

We must also get control of what is called ''requirements creep''—where more features and capabilities are added to a given piece of equipment, often to the point of absurdity. The most flamboyant example of this phenomenon is the new presidential helicopter—what President Obama referred to as defense procurement ''run amok.'' Once the analysis and requirements were done, we ended up with a helicopter that cost nearly half a billion dollars each and enabled the president to, among other things, cook dinner while in flight under nuclear attack.

We also had to take a hard look at a number of weapons programs that were grotesquely over budget, were having major performance problems, were reliant on unproven technology, or were becoming increasingly detached from real world scenarios—as if September 11th and the wars that followed had never happened.

Those of you with experience in the technology or manufacturing sectors have at some point probably faced some combination of these challenges in your own businesses. But in the defense arena, we faced an additional, usually insurmountable obstacle to bring rationality to budget and acquisition decisions. Major weapons programs, irrespective of their problems or performance, have a habit of continuing long after they are wanted or needed, recalling Ronald Reagan's old joke that a government program represents the closest thing we'll ever see to eternal life on this earth.

First, there is the Congress, which is understandably concerned, especially in these tough economic times, about protecting jobs in certain states and congressional districts. There is the defense and aerospace industry, which has an obvious financial stake in the survival and growth of these programs.

And there is the institutional military itself—within the Pentagon, and as expressed through an influential network of retired generals and admirals, some of whom are paid consultants to the defense industry, and some who often are quoted as experts in the news media.

As a result, many past attempts by my predecessors to end failing or unnecessary programs went by the wayside. Nonetheless I determined in a triumph of hope over experience, and the president agreed, that given the urgency of the wars we are in, the daunting global security environment we will inhabit for decades to come, and our country's economic problems, we simply cannot afford to move ahead with business as usual.

To this end, the president's budget request cut, curtailed, or ended a number of conventional modernization programs—satellites, ground vehicles, helicopters, fighters—that were either performing poorly or in excess to real-world needs. Conversely, future-oriented programs where the U.S. was relatively underinvested were accelerated or received more funding.

For example, we must sustain and continually improve our specialized strategic deterrent to ensure that our—and our allies'—security is always protected against nuclear-armed adversaries. In an initiative little noticed, the President's program includes money to begin a new generation of ballistic missile submarines and nearly $700 million in additional funds to secure and assure America's nuclear deterrent.

Some of our proposed reforms are meeting real resistance. They are called risky. Or not meeting a certain military requirement. Or lacking in study and analysis. Those three words—requirements, risk, and, analysis—are commonly invoked in defense matters. If applied correctly, they help us make sound decisions. I've found, however, that more often they have become the holy trinity of the status quo or business as usual.

In truth, preparing for conflict in the 21st century means investing in truly new concepts and new technologies. It means taking into account all the assets and capabilities we can bring to the fight. It means measuring those capabilities against the real threats posed by real world adversaries with real limitations, not threats conjured up from enemies with unlimited time, unlimited resources, and unlimited technological acumen.

Air superiority and missile defense—two areas where the budget has attracted the most criticism—provide case studies. Let me start with the controversy over the F–22 fighter jet. We had to consider, when preparing for a future potential conventional state-on-state conflict, what is the right mix of the most advanced fighter aircraft and other weapons to deal with the known and projected threats to U.S. air supremacy? For example, we now have unmanned aerial vehicles that can simultaneously perform intelligence, reconnaissance, and surveillance missions as well as deliver precision-guided bombs and missiles. The president's budget request would buy 48 of the most advanced UAVs—aircraft that have a greater range than some of our manned fighters, in addition to the ability to loiter for hours over a target. And we will buy many more in the future.

We also took into consideration the capabilities of the newest manned combat aircraft program, the stealth F–35 Joint Strike Fighter. The F–35 is 10 to 15 years newer than the F–22, carries a much larger suite of weapons, and is superior in a number of areas—most importantly, air-to-ground missions such as destroying sophisticated enemy air defenses. It is a versatile aircraft, less than half the total cost of the F–22, and can be produced in quantity with all the advantages produced by economies of scale—some 500 will be bought over the next five years, more than 2,400 over the life of the program. And we already have eight foreign development partners. It has had development problems to be sure, as has every advanced military aircraft ever fielded. But if properly

supported, the F–35 will be the backbone of America's tactical aviation fleet for decades to come if—and it is a big if—money is not drained away to spend on other aircraft that our military leadership considers of lower priority or excess to our needs.

Having said that, the F–22 is clearly a capability we do need—a niche, silver-bullet solution for one or two potential scenarios—specifically the defeat of a highly advanced enemy fighter fleet. The F–22, to be blunt, does not make much sense anyplace else in the spectrum of conflict. Nonetheless, supporters of the F–22 lately have promoted its use for an ever expanding list of potential missions. These range from protecting the homeland from seaborne cruise missiles to, as one retired general recommended on TV, using F–22s to go after Somali pirates who in many cases are teenagers with AK–47s—a job we already know is better done at much less cost by three Navy SEALs. These are examples of how far-fetched some of the arguments have become for a program that has cost $65 billion—and counting—to produce 187 aircraft, not to mention the thousands of uniformed Air Force positions that were sacrificed to help pay for it.

In light of all these factors, and with the support of the Air Force leadership, I concluded that 183—the program of record since 2005, plus four more added in the FY 09 supplemental—was a sufficient number of F–22s and recommended as such to the president.

The reaction from parts of Washington has been predictable for many of the reasons I described before. The most substantive criticism is that completing the F–22 program means we are risking the future of U.S. air supremacy. To assess this risk, it is worth looking at real-world potential threat and assessing the capabilities that other countries have now or in the pipeline.

Consider that by 2020, the United States is projected to have nearly 2,500 manned combat aircraft of all kinds. Of those, nearly 1,100 will be the most advanced fifth generation F–35s and F–22s. China, by contrast, is projected to have no fifth generation aircraft by 2020. And by 2025, the gap only widens. The U.S. will have approximately 1,700 of the most advanced fifth generation fighters versus a handful of comparable aircraft for the Chinese. Nonetheless, some portray this scenario as a dire threat to America's national security.

Correspondingly, the recent tests of a possible nuclear device and ballistic missiles by North Korea brought scrutiny to the changes in this budget that relate to missile defense. The risk to national security has again been invoked, mainly because the total missile defense budget was reduced from last year.

In fact, where the threat is real or growing—from rogue states or from short-to-medium range missiles that can hit our deployed troops or our allies and friends—this budget sustains or increases funding. Most of the cuts in this area come from two programs that are designed to shoot down enemy missiles immediately after launch. This was a great idea, but the aspiration was overwhelmed by the escalating costs, operational problems, and technological challenges.

Consider the example of one of those programs—the Airborne Laser. This was supposed to put high-powered lasers on a fleet of 747s. After more than a decade of research and development, we have yet to achieve a laser with enough power to knock down a missile in boost phase more than 50 miles from the launch pad—thus requiring these huge planes to loiter deep in enemy air space to have a feasible chance at a direct hit. Moreover, the 10 to 20 aircraft needed would cost about $1.5 billion each plus tens of millions of dollars each year for maintenance and operating costs. The program and operating concept were fatally flawed and it was time to face reality. So we curtailed the existing program while keeping the prototype aircraft for research and development.

Many of these decisions—like the one I just described—were more clear-cut than others. But all of them, insofar as they involved hundreds of billions of dollars and the security of the American people, were treated with the utmost seriousness by the senior civilian and military leadership of the Pentagon. An enormous amount of thought, study, assessment, and analysis underpins these budget recommendations including the National Defense Strategy I issued last summer.

Some have called for yet more analysis before making any of the decisions in this budget. But when dealing with programs that were clearly out of control, performing poorly, and excess to the military's real requirements, we did not need more study, more debate, or more delay—in effect, paralysis through analysis. What was needed were three things—common sense, political will, and tough decisions. Qualities too often in short supply in Washington, D.C.

All of these decisions involved considering trade-offs, balancing risks, and setting priorities—separating nice-to-haves from have-to-haves, requirements from appetites. We cannot expect to eliminate risk and danger by simply spending more—especially if we're spending on the wrong things. But more to the point, we all—the military, the Congress, and industry—have to face some iron fiscal realities.

The last defense budget submitted by President George W. Bush for Fiscal Year 2009 was $515 billion. In that budget the Bush administration proposed—at my recommendation—a Fiscal Year 2010 defense budget of $524 billion. The budget just submitted by President Obama for FY 2010 was $534 billion. Even after factoring inflation, and some of the war costs that were moved from supplemental appropriations, President Obama's defense request represents a modest but real increase over the last Bush budget. I know. I submitted them both. In total, by one estimate, our budget adds up to about what the entire rest of the world combined spends on defense. Only in the parallel universe that is Washington, D.C., would that be considered ''gutting'' defense.

The fact is that if the defense budget had been even higher, my recommendations to the president with respect to troubled programs would have been the same—for all the reasons I described earlier. There is a more fundamental point: If the Department of Defense can't figure out a way to defend the United States on a budget of more than half a trillion dollars a year, then our problems are much bigger than anything that can be cured by buying a few more ships and planes.

What is important is to have a budget baseline with a steady, sustainable, and predictable rate of growth that avoids extreme peaks and valleys that are enormously harmful to sound budgeting. From the very first defense budget I submitted for President Bush in January 2007, I have warned against doing what America has done multiple times over the last 90 years by slashing defense spending after a major conflict. The war in Iraq is winding down, and one day so too will the conflict in Afghanistan. When that day comes, the nation will again face pressure to cut back on defense spending, as we always have. It is simply the nature of the beast. And the higher our base budget is now, the harder it will be to sustain these necessary programs, and the more drastic and dangerous the drop-off will be later.

So where do we go from here? Authorization for more F–22s is in both versions of the defense bill working its way through the Congress. The president has indicated that he has real red lines in this budget, including the F–22. Some might ask: Why threaten a veto and risk a confrontation over a couple billion dollars for a dozen or so planes?

The grim reality is that with regard to the budget we have entered a zero-sum game. Every defense dollar diverted to fund excess or unneeded capacity—whether for more F–22s or anything else—is a dollar that will be unavailable to take care of our people, to win the wars we are in, to deter potential adversaries, and to improve capabilities in areas where America is underinvested and potentially vulnerable. That is a risk I cannot accept and I will not take.

And, with regard to something like the F–22, irrespective of whether the number of aircraft at issue is 12 planes or 200, if we can't bring ourselves to make this tough but straightforward decision—reflecting the judgment of two very different presidents, two different secretaries of defense, two chairmen of the joint chiefs of staff, and the current Air Force Secretary and Chief of Staff, where do we draw the line? And if not now, when? If we can't get this right—what on earth can we get right? It is time to draw the line on doing Defense business as usual. The President has drawn that line. And that red line is a veto. And it is real.

On a personal note, I joined CIA more than 40 years ago to help protect my country. For just about my entire professional career in government I have generally been known as a hawk on national security. One criticism of me when I was at CIA was that I overestimated threats to the security of our country.

Well, I haven't changed. I did not molt from a hawk into a dove on January 20, 2009. I continue to believe, as I always have, that the world is, and always will be, a dangerous and hostile place for my country with many who would do America harm and who hate everything we are and stand for. But, the nature of the threats to us has changed. And so too should the way our military is organized and equipped to meet them.

I believe—along with the senior military leadership of this nation—that the defense budget we proposed to President Obama and that he sent to Congress is the best we could design to protect the United States now and in the future. The best we could do to protect our men and women in uniform, to give them the tools they need to deter our enemies, and to win our wars today and tomorrow. We stand by this reform budget, and we are prepared to fight for it.

A final thought. I arrived in Washington 43 years ago this summer. Of all people, I am well aware of the realities of Washington and know that things do not change overnight. After all, the influence of politics and parochial interests in defense matters is as old as the Republic itself. Henry Knox, the first secretary of war, was charged with building the first American fleet. To get the support of Congress, Knox eventually ended up with six frigates being built in six different shipyards in six different states.

But the stakes today are very high—with the nation at war, and a security landscape steadily growing more dangerous and unpredictable. I am deeply concerned about the long-term challenges facing our defense establishment—and just as concerned that the political state of play does not reflect the reality that major reforms are needed, or that tough choices and real discipline are necessary.

We stand at a crossroads. We simply cannot risk continuing down the same path—where our spending and program priorities are increasingly divorced from the very real threats of today and the growing ones of tomorrow. These threats demand that all of

our nation's leaders rise above the politics and parochialism that have too often plagued considerations of our nation's defense—from industry to interest groups, from the Pentagon to Foggy Bottom, from one end of Pennsylvania Avenue to the other. The time has come to draw a line and take a stand against the business-as-usual approach to national defense. We must all fulfill our obligation to the American people to ensure that our country remains safe and strong. Just as our men and worn in uniform are doing their duty to this end, we in Washington must now do ours.

Mr. McCAIN. Madam President, I am a student of history, and there is one particular President whom I have grown, along with historians, to appreciate more and more for his two terms as President of the United States; that is, Dwight David Eisenhower. We were at peace during President Eisenhower's term, and many believe that perhaps the war in Vietnam might have been avoided if we had heeded his wise counsel. There are many things President Eisenhower did to contribute to this Nation both in war and in peace.

On several occasions, I have reread his farewell speech of January 17, 1961. In his speech, President Eisenhower said:

In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together.

He also said:

To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle with liberty at stake.

I would only add to President Eisenhower's farewell address to the Nation—which is compelling in many ways—that the words should be changed from ''military-industrial complex'' to ''military-industrial-congressional complex.''

What we are seeing here, with the advice and counsel of our President, of our Secretary of Defense, of our uniformed military, with rare exception, is a recommendation that we stop with this aircraft and build another—not that we stop building fighter aircraft for our inventory, not that we stop defending this Nation with weapons systems we need. We are even defending a weapons system's continued production that has never flown in the two wars in which we are engaged.

So I urge my colleagues to understand the impact of this amendment. If we are able to succeed, it is going to send a signal that we are stopping business as usual, and we must move forward providing the men and women with the necessary means to win the struggles we are in throughout the world, especially two wars. So I urge my colleagues to understand that sacrifices will be made. Jobs will be lost. It will cause disruption in some communities. But our first obligation is the defense of this Nation and the use of scarce defense dollars in the most effective fashion.

I urge my colleagues to vote in favor of this amendment.

Madam President, I yield the floor.

Mr. DODD. Madam President, I have 2 minutes; is that correct?

The PRESIDING OFFICER. Correct.

The Senator from Connecticut.

Mr. DODD. Madam President, first of all, let me begin where I did a few moments ago; that is, with my great respect for CARL LEVIN and JOHN McCAIN and for their work in this area.

Let me begin with a point my friend from Arizona has made. There is nothing more important than the national security of our Nation. It is that very argument which brings those of us on this side of the table in support of this program and in opposition to this amendment.

This program is a critically important program to maintain superiority—not parity but superiority—which has always been our goal in protecting our national security interests. It was the very Pentagon itself which advocated we move forward with this program only 36 months ago. Obviously, people can change their minds. But over the months, when they were preparing for the needs of our Nation, it was the Commission on the Future of Aerospace, authorized by this Congress, which concluded the following. They said that ''the Nation immediately reverse the decline in and promote the growth of a scientifically and technologically trained U.S. aerospace workforce,'' adding that ''the breakdown of America's intellectual and industrial capacity is a threat to national security and our capability to continue as a world leader.''

It was the Pentagon, only 36 months ago in their Quadrennial Review, that said the following—and they said in this report—that: The F–22 production should be extended through fiscal year 2010 with a multiyear acquisition contract to ensure the Department does not have a gap in fifth-generation stealth capabilities.

There are reports that the F–35 could be delayed an additional 11 months—what we have already heard about. That creates a gap of 5 years that we are talking about. The danger of losing not just any jobs, anywhere from 25,000 to 90,000 aerospace workers is not insignificant.

Four days ago, we were warned there has been in excess of a 15-percent decline in our industrial capacity in the aerospace industry. This will hit us even further. The ability to have a workforce capable of building these aircraft we need in the 21st century is at risk. That is why the issue not only of the technical capability of the aircraft but the workforce to produce it is at stake with this amendment. And I say that respectfully. But we have this gap in production, which we have been warned about now by the Pentagon—not by the industry itself, by the Pentagon, by the very Commission this Congress authorized to determine what our capacities were and the industrial capacity in aerospace. We are defying both reports and both recommendations by canceling this program at this number and placing at risk the future generation of superior aircraft that we need in the 21st century.

So again, Madam President, I urge my colleagues, respectfully, to reject this amendment. There is a compromise, in my view, available to end up with a number far less than the originally projected numbers. But to cancel the program prematurely and create the gap in our production capabilities is a great danger for our Nation, not to mention these jobs which are critically important to our Nation and its future.

For those reasons, I urge the rejection of the amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, how much time remains?

The PRESIDING OFFICER. Five minutes 45 seconds.

Mr. LEVIN. Madam President, I yield 2 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I commend the leaders of the committee. I also commend Senator CHAMBLISS and Senator DODD for their Herculean efforts here to try to stave off the closure of the line. I try to put myself in the shoes of others when I take a position on an issue. What I say comes from the heart and not because of a lack of respect for the efforts they have shown in support of their constituents.

We have just come out of 8 years where we have seen our national debt double. We have incurred as much new debt for our country over the last 8 years as we did in the previous 208 years. We are looking, this year, at a 1-year deficit higher than any in the history of our country. It is believed to be well over $1 trillion.

If you go back to 2001 and look at the cost overruns for major weapons systems, in 2001 it was about $45 billion. Last year, that number had grown to almost $300 billion. We say to our folks who are running the Pentagon, the Department of Defense: Tell us which weapons systems you need and those you do not. And Secretary Gates has said very clearly, as Gordon England did as well, his deputy, and the last President and this President: We do not need more F–22s. We have F–15s. We have F–16s. We have F–18s. Before too many more years, we will have about 2,500 F–35s.

My hope is we will be smart enough—if people are displaced, if the F–22 is

not continued in production—my hope is we will be smart enough, since Lockheed has a role in building the F–35, some of the folks—hands that can build an F–22 can certainly help build F–35s. I would hope that would be the case.

The last thing I would ask everyone to keep in mind—as an old naval flight officer, I used to think about and I still think about how much it costs to fly an aircraft for an hour. It is anywhere from $20,000 to $40,000 for the F–22. It is just too much money.

Thanks very much.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Michigan.

Mr. LEVIN. Madam President, in terms of the alleged gap, there is no gap. The QDR said we should be building fighters, F–22 production, into fiscal year 2010. As a matter of fact, what we are now doing is exceeding that production with F–35s. We have 30 F–35s in this fiscal year 2010 budget. There is no gap in fighter production.

As to whether the F–35 is a capable fighter, let me just read from what Secretary Gates says:

> The F–35 is 10 to 15 years newer than the F–22, carries a much larger suite of weapons, and is superior in a number of areas—most importantly, air-to-ground missions such as destroying sophisticated enemy air defenses. It is a versatile aircraft, less than half the total cost of the F–22. . . .

The F–22 is costing an awful lot more than has been represented here because they are asking now, if this amendment is defeated, that we would be spending $1.75 billion for seven F–22s, which is approximately $250 million a copy for the ones the opponents of this amendment want to build this year.

The President of the United States, the last President of the United States, the previous one; two Secretaries of Defense, this one and the previous one; two Chairmen of the Joint Chiefs of Staff, and the Secretary of the Air Force and the Chief of Staff of the Air Force say it is time to end production of the F–22 to move into greater production of the F–35 which will serve three services, not just one. If not now, when? If not now, when? When will we end production of a weapons system, if not now, when we have both President Obama and President Bush trying to end it, Secretaries of Defense trying to end it, Chairmen of the Joint Chiefs trying to end the production of the F–22? We must now do what is sensible, that which is requested by Secretary Gates, not because he is saluting the Commander in Chief, as has been suggested. He is not just saluting the Commander in Chief; he feels deep in his gut that we must change the way we do business. We must finally bring some of these systems to an end. That is why Secretary Gates so passionately believes we must bring production of the F–22 to an end and move into greater production of the F–35—more F–35s produced in this budget than would be produced of the F–22 if this amendment is defeated.

Madam President, I don't know if there is any more time. If there is, I yield back the remainder of my time, and 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. 1469.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 40, as follows:

[Rollcall Vote No. 235 Leg.]

YEAS—58

Alexander	Gillibrand	Merkley
Barrasso	Graham	Nelson (NE)
Bayh	Gregg	Nelson (FL)
Bennet	Hagan	Pryor
Bond	Harkin	Reed
Brown	Johnson	Reid
Burris	Kaufman	Rockefeller
Cardin	Kerry	Sanders
Carper	Klobuchar	Schumer
Casey	Kohl	Shelby
Coburn	Kyl	Specter
Conrad	Landrieu	Stabenow
Corker	Lautenberg	Udall (CO)
DeMint	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lincoln	Webb
Ensign	Lugar	Whitehouse
Enzi	McCain	Wyden
Feingold	McCaskill	
Franken	Menendez	

NAYS—40

Akaka	Cornyn	Murkowski
Baucus	Crapo	Murray
Begich	Dodd	Risch
Bennett	Feinstein	Roberts
Bingaman	Grassley	Sessions
Boxer	Hatch	Shaheen
Brownback	Hutchison	Snowe
Bunning	Inhofe	Tester
Burr	Inouye	Thune
Byrd	Isakson	Udall (NM)
Cantwell	Johanns	Vitter
Chambliss	Lieberman	Wicker
Cochran	Martinez	
Collins	McConnell	

NOT VOTING—2

Kennedy	Mikulski

The amendment (No. 1469) was agreed to.

Mr. LEVIN. Madam 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.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010—Continued

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I will make some brief remarks here, and at the conclusion we will determine whether there is an agreement on the other side so I can go ahead and lay down an amendment. But first I want to discuss what that amendment will be. It is amendment No. 1628, and in a moment I will seek to offer it and get it pending. It is an amendment I introduced with Senator LIEBERMAN, Senator BAYH, and Senator MCCAIN.

Like other Members of this body, we have watched recent events unfold in Iran with great concern. This year began with talk of warming ties and potentially reestablishing contact with Iran; that we would no longer be afraid to talk to Iran and perhaps to even reach some kinds of agreements. In recent months, however, the Iranian regime has continued its support of terrorism, its illegal nuclear weapons program in defiance of its NPT obligations, and its engagement in violent and deadly repression of its own citizens.

While the administration has made clear its intention to continue to pursue high-level talks with Iran, an overture which the regime has not seen fit to even respond, the President has indicated that the window for Iran to negotiate and demonstrate progress toward complying with its international obligations is not open indefinitely.

I think President Obama was correct when he said:

> Iran obtaining a nuclear weapon would not only be a threat to Israel and a threat to the United States, but would be profoundly destabilizing in the international community as a whole and could set off a nuclear arms race in the Middle East that would be extraordinarily dangerous for all concerned, including for Iran.

In May, the President indicated that Iran would have until December to show meaningful improvement. More recently, French President Nicolas Sarkozy said on behalf of the G8 nations that they will give Iran until September 2009 to agree to negotiations with respect to its nuclear activities or face tougher sanctions.

If negotiations do not prove fruitful, the United States must be ready to act quickly to increase pressure on Iran to end its support for terrorist groups and its illegal nuclear program.

The Kyl-Lieberman amendment expresses the sense of the Senate that the President should sanction the Iranian Central Bank if, by December, Iran has not verifiably halted its uranium enrichment activities, as well as come into full compliance with the Nuclear Nonproliferation Treaty and the Additional Protocol.

> By sanctioning the Central Bank of Iran—Bank Markazi—our Nation would send the message that we will use all methods at our disposal to stop the spread of nuclear weapons and oppose sponsors of terror.

The case against the Iranian Central Bank is strong. It is knee-deep in the regime's illicit activities. Last year, Deputy Secretary of the Treasury Robert Kimmit revealed that between 2001

and 2006 the bank had moved $50 million from banks in London to Hezbollah front organizations in Beirut. Hezbollah, of course, is a terrorist organization.

It also processes transactions for Iranian banks that already face U.S. sanctions. The Central Bank of Iran is instrumental in helping Iranian banks—the very ones this body voted overwhelmingly to sanction in 2007—to avoid sanctions. In March 2008, the Financial Crimes Enforcement Network of the Department of the Treasury warned financial institutions about the illicit behavior of the Central Bank of Iran. Here is what the advisory said:

> The Central Bank of Iran and Iranian commercial banks have requested that their names be removed from global transactions in order to make it more difficult for intermediary financial institutions to determine the true parties in the transaction. They have also continued to provide financial services to Iranian entities designated by the U.N. Security Council in its Resolutions 1737 and 1747. The U.S. Department of Treasury is particularly concerned that the Central Bank of Iran may be facilitating transactions for sanctioned Iranian banks.

Under U.S. law, institutions that aid entities covered by financial sanctions are liable to penalties. The Central Bank's activities clearly warrant such action, and sanctioning the bank would increase the effectiveness of existing measures. I urge my colleagues to support our amendment at such time as we are able to get a vote on it.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Chair and I thank my friend from Arizona, Senator KYL, for his very strong statement. I rise to speak in support of this bipartisan amendment which I have cosponsored along with Senator KYL, Senator BAYH, and Senator MCCAIN.

As you know, President Obama has made a historic offer to Iran's leaders, inviting them to engage in direct diplomacy to resolve the outstanding differences between our two countries. As the President has repeatedly said, the door is open for the Iranians to come in out of the cold, if they choose to do so. It is by suspending their illicit nuclear activities and ending their support for terrorism that the Iranians have a clear path to ending their international isolation and taking their rightful place in the community of nations.

Unfortunately, as Senator KYL said, it has now been more than 3½ months since the formal offer of engagement was made by President Obama, and there has been no reply from the Iranians. Meanwhile, Iran's illicit nuclear activities have continued to speed forward, in violation of multiple U.N. Security Council resolutions. Thousands of additional centrifuges are being installed, and more and more fissile material is being stockpiled.

At the same time, Iran's support for terrorist proxies in Iraq, in Lebanon, and in the Palestinian Authority areas has continued. And, of course, over the past month we and the rest of the world have watched with horror as the Iranian regime has engaged in a brutal crackdown against its own people, who have sought no more than basic human rights.

President Obama, together with our international allies, has been very clear that we will not wait indefinitely for the Iranians to respond to our offer of talks, nor will we enter into negotiations—if that is the willingness of the Iranians—that go on without end. Two weeks ago, at the annual G8 summit in Italy, the President joined with other world leaders to make clear to the Iranians that they have until the G20 summit in Pittsburgh, at the end of September, to return to the negotiating table or face the consequences.

The amendment Senators KYL, BAYH, MCCAIN, and I have put forward would place the full weight of the U.S. Senate behind the time frame that the President and the G8 have articulated. Our amendment expresses our strong hope that Iran seizes this historic opportunity for direct dialogue.

We also make clear that if the Iranians have failed to engage with us diplomatically by the time of that G20 summit 2 months from now, it is our preference that multilateral sanctions be imposed through the United Nations Security Council. However, the Iranian Government—the regime that controls the people of Iran—must also understand that the United States is itself prepared to put in place what Secretary of State Clinton a while ago referred to as crippling sanctions in the event that they in Tehran continue to flaunt the will of the international community.

Specifically, our amendment asks the President to impose sanctions on the Central Bank of Iran and other banks involved in proliferation and terrorist activities, in the event that the Iranians haven't entered into negotiations that are serious by the time of the Pittsburgh summit or if they haven't suspended enrichment and reprocessing activities within 60 days of that summit.

The Central Bank of Iran is the financial lifeline of that regime. It is an entity that our own Treasury Department says has engaged in deceptive financial practices and facilitated the efforts of other Iranian banks that are involved in bankrolling proliferation and terrorist activities to avoid international sanctions, and that have themselves been sanctioned by the U.N. and our Treasury Department as a result.

I will say this. The idea of imposing sanctions on the Iranian Central Bank is not new. It has already been endorsed by a bipartisan majority in this Chamber. Last year, the Senate Banking Committee, under Chairman DODD, adopted bipartisan legislation by a vote of 19 to 2 to urge the President to immediately impose sanctions against the Central Bank. Also last year, the House of Representatives passed such legislation that urged immediate sanctions.

More recently, the legislation that Senators BAYH, KYL, and I introduced this spring—the Iran Refined Petroleum Sanctions Act, S. 908—in addition to the other steps it takes—also expresses the sense of the Senate that the President should impose sanctions against the Central Bank of Iran.

I am very grateful to report that S. 908, the Iran Refined Petroleum Sanctions Act, now has 67 Members of the Senate, a strong bipartisan group of 67, or two-thirds, as cosponsors of that legislation. These cosponsors range all across the ideological spectrum of Members of the Senate, and clearly make the point to Iran and to the rest of the world that whatever other differences we have, we stand together here as a strong majority and beyond the Senate in our concern about the nuclear proliferation and terror-sponsoring activities of the Iranian Government.

You might say, if you are one of the 67 cosponsors of S. 908—which does more than this amendment does but includes it—you have already spoken in favor of this amendment.

This amendment, I want to point out and make clear, in no way ties the President's hand in his diplomacy with Iran. That is not our intent. The amendment is about empowering the President, giving him additional leverage in his diplomacy, by endorsing the same timetable that came out of the G8 summit a short while ago. The effect is this, and I will repeat: The Iranians must appreciate that there will be consequences if they fail to respond to the international community's diplomatic initiatives; in other words, if they continue to speed their nuclear program forward.

I think this amendment will send an unmistakable message to the fanatical regime in Tehran, in support of the G8, in support of President Obama: Either you can engage with the United States and the world community and take steps to suspend your nuclear activities or you can continue on your current course, in which case you will face the crippling sanctions this sense-of-the-Senate resolution calls for.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, before my colleague Senator LIEBERMAN leaves the floor, I wish to thank him for this amendment. We are working right now to see if we can get the amendment pending and possibly a voice vote, because it is clear it is a very important amendment and one where I think we need to express very strongly the sense of the Senate, given the situation as it exists in Iran.

I wish to thank Senator LIEBERMAN, and right now it is my understanding that your side is checking to see if it is an agreeable amendment. Hopefully,

we will get that decision and move forward with it right away on a voice vote, if that is agreeable to the Senator from Connecticut.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. I thank my friend from Arizona. I am encouraged by that. And in talking to the other cosponsors, we would be happy to have a voice vote. It would send a message.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, the amendment is straightforward and expresses the sense of the Senate that there should be a date certain—and soon—by which Iran is required to end its nuclear program or face severe sanctions. The amendment expresses that if the Iranian regime has not accepted the offer of the United States of direct diplomatic talks by the time of the G20 summit in late September or if it has not suspended all of its nuclear enrichment and reprocessing activities within 60 days after the summit, and if the U.N. Security Council does not adopt new and significant and meaningful sanctions on the regime, the President should sanction the Central Bank of Iran.

The situation with respect to Iran is nearing the crisis point, if it is not there already. We have all watched the brutal crackdown in the streets of Tehran and elsewhere as the Iranian regime imposed the results of a fraudulent election. We have been astonished by the courage and resolve of those Iranian citizens who have protested for their own inalienable rights in the face of repression. And we have known that, while these dramatic events have played themselves out, the Iranian regime has continued its enrichment of uranium, growing ever closer to the day on which it has a nuclear weapons capability.

The Iranian regime has gotten away with too much for too long. Its illicit nuclear activities, combined with its development of unconventional weapons and ballistic missiles, support for Hezbollah and other terrorist groups, and its repeated threats against Israel and the United States, represent a real and growing threat to the security of the United States and the Middle East. It is in the interest of the United States, and the world's other great powers, to achieve an end to the Iranian nuclear program.

The administration has held out an ''open hand,'' making clear that it intends to open direct talks with Iran. Yet 3½ months since the President's formal offer, the Iranian government has made no response, nor has it suspended its enrichment activities, as required by U.N. Security Council resolutions. Time is not on the side of those pushing the Iranians to cease these dangerous actions. Administration officials and others, including the French President, have stated that they will not wait interminably while the Iranian nuclear program proceeds.

At the G–8 summit 2 weeks ago, the assembled leaders agreed that the Iranians do not have forever, and that they should return to the negotiating table by the time of the G–20 summit in September. This amendment puts the Senate on record behind that timeframe, irrespective of any Senator's individual view about the likelihood of agreement soon.

Make no mistake: we must not wait interminably. According to the IAEA's latest report, Iran has increased its stockpile of low enriched uranium by some 60 percent in the previous 6 months, and has brought the number of active centrifuges above 7,000. The IAEA also reported that Iran denied inspectors access to the Arak heavy water reactor. As the threats—including to the State of Israel—continue.

As the Secretary of State has recently articulated, should Iran continue to defy the international community, it must face severe sanctions. Should the regime not take up the historic offer extended to it, this resolution advocates sanctions on the Iranian Central Bank, the country's major connection to the international financial system. The U.S. Treasury Department has stated that the central bank has engaged in deceptive financial practices and facilitated the movement of funds to those involved in proliferation and terrorist activities. This must end, and in fact 67 Senators have cosponsored legislation—the Iran Refined Petroleum Sanctions Act—that urges the President to sanction the central bank.

By adopting this resolution, we will send an unmistakable message to the government of Iran that its actions are unacceptable and will result in real and severe consequences if continued. The administration has offered to talk; the ball is in the Iranian court, and if that regime continues down its destructive path, we have no choice but to impose crippling sanctions for its continued defiance.

I urge my colleagues to support this amendment.

Let me point out again, this amendment is a sense-of-the-Senate amendment, an important sense of the Senate but certainly one that allows the administration the latitude it needs in its handling of its relations with Iran.

I yield the floor.

Ms. STABENOW. Mr. President, I would first ask to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I want to recognize that tremendously hard work both the chair of the Armed Services Committee and ranking member are doing. We are very proud of the chairman, coming from Michigan, and of all of his excellent work in standing up for the troops. This bill is another example of that.

I would like to congratulate him and the Senator from Arizona for working together on this very important bill.

HEALTH CARE REFORM

Ms. STABENOW. Mr. President, I want to speak for a moment on health care. We are hearing a lot, as we hear from colleagues, many colleagues—not every one but many colleagues on the other side of the aisle—about the need to be against health care reform, to be a ''no.''

We all know that saying no to health care reform means we are going to have the status quo. ''No'' equals the status quo. For too many families, too many businesses all across this country, that is absolutely not acceptable.

The status quo works, it is good—for special interests making profits off the current system. But it is bad for American families, American small businesses, American manufacturers that are trying to pay the bills and trying to make sure health care is available for the employees.

We need change. We are here because the system, with all of its good parts—and there are many strengths in the American system—is also broken in too many cases for people. We want to build on what works and what is great and we want to fix what is broken.

Right now our current health care system is bankrupting too many families. We know over 60 percent of bankruptcies are linked to medical expenses, and 75 percent of families who file bankruptcy actually have health insurance. Those with insurance, on average, are putting out medical expenses of over $18,000 when they file—even though they have an insurance policy.

There are many families—we are not only talking about those who do not have health insurance, but those who do who find themselves in very difficult situations.

I am constantly amazed when I hear the argument about: We can't do any kind of reform because reform means putting a bureaucrat between your doctor and yourself. You and your doctor can't make decisions about what you need for your health care.

Do you know who stands between you and your doctor right now? An insurance company, an insurance company bureaucrat. Your doctors can't just give you whatever tests they wish. You are not able to get whatever care you need for your family. The first call they make is to the insurance company, and it decides.

Reform is about putting health care decisions back in the hands of doctors and patients and being able to create a system that actually works for people. That is what it is all about.

I set up online the Health Care People's Lobby for those I represent in the State of Michigan so they could share their stories. We have a lot of folks lining the halls who represent all kinds of interests, all kinds of special interests, and they tell us what they think should be happening or not happening. But in Michigan we have set up the Health Care People's Lobby so people can share their stories about the real

world operating under the current system.

If the system worked today, there would be no reason for us to be here. We would be working on something else. But the fact is, we are spending twice as much on health care as any other country and have 47 million people at any one time who do not have health insurance. Those two numbers don't add up.

On top of that, people who are currently covered are battling every day to try to get what they thought they were paying for or to make sure their family is covered or that test or procedure or medicine can be covered.

One constituent of mine in Michigan, Sandra Marczewski from Waterford, MI, wrote to me that she and her husband have been without insurance for 7 months now. She writes:

You have no idea the fear I walk around with every day.

That is too many people in Michigan, over a million people in Michigan, without insurance altogether, and millions more who are fearful every day if they lose their job, their health care goes with it, for themselves and their families. People every night are putting the kids to bed and worrying about whether someone is going to get sick, saying a prayer: Please, God, don't let the kids get sick. Don't let me get sick. I have to be able to go to work so I can make sure we still have our health care.

There are a lot of people, as I mentioned before, who make a lot of money off of the status quo, off of the current system. It is no surprise they don't want to change it. All the ads we see, all the things going on, all the scare tactics that are going on—and there are plenty of scare tactics going on right now—all of that is about trying to scare people and raise red flags. It is easy just to be no, no, no. We certainly hear that around here all the time, people who are just saying no to any kind of progress or change or making things better for people.

The reality is, the status quo for a lot of folks means more profit, and that is underlying a lot of the motivation of what is going on right now. Our job is to make sure the American people can afford health care and have the care they need for their families. For too many families, the status quo means insecurity, expenses, and fear that come along with not knowing whether they are going to be able to afford the health care they have from month to month and whether they will, in fact, even have health care.

We are here because when it comes to health care, American families and businesses are in a serious crisis, and they are asking us for action. The status quo is not good enough anymore. It is not working. It is going to bankrupt families, businesses, and the country. High health care costs are causing cuts in benefits, increases in premiums, adding to the ranks of the uninsured at alarming rates. Even those who have insurance, as I indicated before, are feeling the pain of the current system. Every day in America families are forced to choose a different doctor because their health care plan was changed, because their employer can no longer afford the old plan they had.

Skyrocketing health care costs make American businesses less competitive in the global economy. It costs us jobs, and I can speak directly to that coming from the great State of Michigan.

Every day in America, families see their health care plan benefits eroding because they cannot keep up with high premiums, copays, and deductibles. Every day in America, people decide to skip a doctor visit and the medication and treatment they know they need because they cannot afford the payment—in the greatest country in the world—because the expense is too high. Year after year, as health care costs increase, American families are losing the very parts of their health care they value most: their choice of doctor, hospital, and insurance plans; their choice of treatments; the security and stability that comes from knowing they are covered if anything goes wrong. That is what we are about fixing. That is what we will fix as we do health care reform.

Recently, Families USA found that the average costs of family coverage in the workplace rose 78 percent in 7 years—78 percent. During those years, health insurance company profits ballooned 428 percent. At the same time, wages went up about 15 percent. So wages go up 15 percent, health insurance profits go up 428 percent, and premiums just keep rising for businesses and individuals.

The fact is, we cannot wait to get started on reform. The status quo is not acceptable and ''no'' equals the status quo. So we are here working with colleagues to get it done. Doing nothing is not acceptable.

Recently, the nonpartisan Robert Wood Johnson Foundation released a report that projects if Federal reform efforts are not enacted within 10 years, the cost of health care for businesses could double and the number of uninsured could rise to over 65 million people with middle-class families being hit the hardest. The report shows if health care reform is not enacted, individuals and families would see health care costs dramatically increased.

Total individual and family spending on premiums and out-of-pocket costs could increase 68 percent in the next 10 years. I cannot imagine 68 percent out-of-pocket costs. That is if we do nothing, if we listen to those just saying no. Even under the best-case scenario, health care costs would likely increase, according to this report, at least 46 percent. And I can tell you absolutely wages are not going to go up 46 percent. Businesses could see their health care costs doubled within 10 years. The report found that employer spending on premiums would more than double, and even in the best-case economic condition, employer spending on health care will rise 72 percent. The result would likely be far fewer Americans being able to be offered insurance or accepting employer-sponsored insurance. Estimates suggest a drop of 56 percent of Americans who are now covered by their employers, dropping from 56 to 49 percent in 10 years.

So there are many numbers. There are numbers that relate to the public programs of Medicaid and children's health insurance and the increased cost there as well and what will happen if we do nothing. The amount of uncompensated care in the health care system will increase, and the worst-case scenario: the total of uncompensated care could double.

By the way, when we say ''uncompensated care,'' that does not mean somebody is not paying for it. That is why our premiums, if you have insurance, go up so much. It means someone can't afford to see a doctor, can't take their children to the doctor, so they don't get the tests on the front end that they need or they don't see a doctor. They wait until they are really sick, and then they go to the emergency room. They are served, as they should be, and it is the most expensive venue in which to do ongoing care for people. But they are served, and then guess what happens. Everyone who has insurance sees their rates go up to pay for it.

That is what it means when we say that covering the uninsured will lower costs as we go out. I mean it will take time to do this, but over time what we are doing is working to change the way we pay for health care now because we pay for it in the most expensive way, by ignoring the problem, not focusing on health and wellness and primary care but waiting until people are in the worst possible situation: they go to the emergency room, they get care when they are sicker than they otherwise would be if they could see a doctor. And then we pay for it. That is what we want to change and will change under health care reform.

So this is about many facets. We know we have a system in America that works for many; they are blessed. We are blessed to have health insurance. For the many who have insurance, it allows them to cover their family needs. The system works well. But for many others it does not. And the reality is, we all pay for a system that does not work effectively for everyone. We all end up paying because the reality is, you can say: Well, I am not going to buy a car, I do not need car insurance; I am not going to buy a house, I do not need house insurance, but sooner or later, you are going to get sick, and just because you don't have health insurance does not mean there is not going to be a cost for yourself and your family.

We are a great country. We can do better than what we are doing today. We have to do better. We are working hard to have a bipartisan effort that will move reform forward in this country, to make a real difference to

change the system so it works for everyone and begins to lower the cost over time of what is happening, the explosion in health care costs in this country.

The option of saying no is not good enough. ''No'' equals the status quo. We just cannot have that. The public gets it. It is time for us to get it as well and move forward. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

AMENDMENT NO. 1628

Mr. MCCAIN. Mr. President, I call up the Lieberman-Kyl amendment and ask for its immediate consideration. It is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. KYL, for himself, Mr. LIEBERMAN, Mr. BAYH, and Mr. MCCAIN, proposes an amendment numbered 1628.

The amendment is as follows:

(Purpose: To express the sense of the Senate on imposing sanctions with respect to the Islamic Republic of Iran)

At the end of subtitle C of title XII, add the following:

SEC. 1232. SENSE OF THE SENATE ON IMPOSING SANCTIONS WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN.

(a) FINDINGS.—The Senate makes the following findings:

(1) The illicit nuclear activities of the Government of the Islamic Republic of Iran, combined with its development of unconventional weapons and ballistic missiles and support for international terrorism, represent a grave threat to the security of the United States and United States allies in Europe, the Middle East, and around the world.

(2) The United States and other responsible countries have a vital interest in working together to prevent the Government of the Islamic Republic of Iran from acquiring a nuclear weapons capability.

(3) As President Barack Obama said, ''Iran obtaining a nuclear weapon would not only be a threat to Israel and a threat to the United States, but would be profoundly destabilizing in the international community as a whole and could set off a nuclear arms race in the Middle East that would be extraordinarily dangerous for all concerned, including for Iran.''.

(4) The International Atomic Energy Agency has repeatedly called attention to the illicit nuclear activities of the Islamic Republic of Iran, and, as a result, the United Nations Security Council has adopted a range of sanctions designed to encourage the Government of the Islamic Republic of Iran to cease those activities and comply with its obligations under the Treaty on Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty'').

(5) The Department of the Treasury has imposed sanctions on several Iranian banks, including Bank Melli, Bank Saderat, Bank Sepah, and Bank Mellat, for their involvement in proliferation activities or support for terrorist groups.

(6) The Central Bank of Iran, the keystone of Iran's financial system and its principal remaining lifeline to the international banking system, has engaged in deceptive financial practices and facilitated such practices among banks involved in proliferation activities or support for terrorist groups, including Bank Sepah and Bank Melli, in order to evade sanctions imposed by the United States and the United Nations.

(7) On April 8, 2009, the United States formally extended an offer to engage in direct diplomacy with the Government of the Islamic Republic of Iran through negotiations with the five permanent members of the United States Security Council and Germany (commonly referred to as the ''P5-plus-1 process''), in the hope of resolving all outstanding disputes between the Islamic Republic of Iran and the United States.

(8) The Government of the Islamic Republic of Iran has yet to make a formal reply to the April 8, 2009, offer of direct diplomacy by the United States or to engage in direct diplomacy with the United States through the P5-plus-1 process.

(9) On July 8, 2009, President Nicolas Sarkozy of France warned that the Group of Eight major powers will give the Islamic Republic of Iran until September 2009 to accept negotiations with respect to its nuclear activities or face tougher sanctions.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Government of the Islamic Republic of Iran should—

(A) seize the historic offer put forward by President Barack Obama to engage in direct diplomacy with the United States;

(B) suspend all enrichment-related and reprocessing activities, including research and development, and work on all heavy-water related projects, including the construction of a research reactor moderated by heavy water, as demanded by multiple resolutions of the United Nations Security Council; and

(C) come into full compliance with the Nuclear Non-Proliferation Treaty, including the additional protocol to the Treaty; and

(2) the President should impose sanctions on the Central Bank of Iran and any other Iranian bank engaged in proliferation activities or support for terrorist groups, as well as any other sanctions the President determines appropriate, if—

(A) the Government of the Islamic Republic of Iran—

(i) has not accepted the offer by the United States to engage in direct diplomacy through the P5-plus-1 process before the Summit of the Group of 20 (G–20) in Pittsburgh, Pennsylvania, in September 2009; or

(ii) has not suspended all enrichment-related and reprocessing activities and work on all heavy-water related projects within 60 days of the conclusion of that Summit; and

(B) the United Nations Security Council has failed to adopt significant and meaningful additional sanctions on the Government of the Islamic Republic of Iran.

Mr. MCCAIN. The amendment is in the name of Senators KYL and LIEBERMAN. I am calling it up on their behalf.

The ACTING PRESIDENT pro tempore. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1628) was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. ALEXANDER. Mr. President, I listened carefully to the Senator from Michigan. Republicans and I believe most Democrats want health care reform this year. The President said he wants health care reform this year. Republicans want health care reform this year. We want to make sure it is done right. Let me put it this way: If we were in an operating room and a seriously ill patient came in and we knew we had only one chance to save that patient's life and to make that patient healthy, our goal would not be to see if we could do it in the next week, it would be to see if we could get it right.

So far, the proposals we have seen coming out of the committees have not gotten it right. One might say: Well, that is a Republican view of Democratic proposals. Perhaps it is. But the proposals we have seen coming out of the Senate HELP Committee and out of the House of Representatives flunk the most important test, which is cost. The most important test is whether Americans can afford their health care and, after we get through fixing it, whether they can afford their government. According to virtually everyone we have heard from, the legislation we have seen simply does not meet that test.

In my opinion, what we should do instead is start with the framework of the bill sponsored by Democratic Senator WYDEN and Republican Senator BENNETT which has 14 cosponsors—8 Democrats, 6 Republicans. This is a different sort of framework that offers virtually every American coverage, does so without any Washington takeover or government-run programs without raising the debt one penny, according to the Congressional Budget Office. Remember, I said that is a framework. I do not agree with every single part of that bill, although I am a cosponsor, but it may be a much better place to start than what we have seen so far.

That is not just my opinion. Lately, we have heard a lot about the Mayo Clinic in Rochester, MN. President Obama has talked a lot about the Mayo Clinic. The point is, at the Mayo Clinic and a few other clinics around the country, there have been significantly better outcomes. In other words, if you go there and come out, you are more likely to be well, and at a lower cost. And the question is, Why?

The President has repeatedly pointed to the Mayo Clinic, Democratic Senators point to the Mayo Clinic, and Republican Senators point to the Mayo Clinic. Here is what the Mayo Clinic had to say on Friday about the legislation that is being considered in the House of Representatives:

> Although there are some positives in the current House Tri-committee bill, including insurance for all and payment reform demonstration projects—the proposed legislation misses the opportunity to help create higher quality, more affordable health care for patients. In fact, it will do the opposite.

That is the Mayo Clinic talking.

In general, the proposals under discussion are not patient focused or results oriented. Lawmakers have failed to use a fundamental lever—a change in Medicare payment policy—to help drive necessary improvements in American health care. Unless legislators create payment systems that pay for good patient results at reasonable costs, the promise of transformation in American health care will wither. The real losers will be the citizens of the United States of America.

That is the Mayo Clinic talking about the bill we are beginning to see in the House of Representatives.

I think the prudent thing to do is to try to make that bill better or start over and certainly not try to pass a 1,000-page or 2,000-page bill in 1 week or 10 days without knowing what is in it, as we did with the stimulus bill earlier this year.

That is not just the opinion of the Mayo Clinic. Here is a letter to House Members on July 16, a few days ago, from a number of clinics, including the Mayo Clinic. These are the Intermountain Healthcare, Gundersen Lutheran Health System, the Iowa Clinic, the Marshfield Clinic, the Rural Wisconsin Health Cooperative, ThedaCare, and Wisconsin Hospital Association.

I ask unanimous consent to have this letter printed in the RECORD following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. It goes on to say:

On behalf of some of the nation's leaders in health care delivery—

These are the people whose hospitals we go to, whose clinics we go to when we are sick or when we hope to stay well—

we write to you to comment on the House bill.

They say:

We applaud the Congress for working on this. However, we have got significant concerns.

They go on to say there are three of them.

The first is about the Medicare-like public plan, as they call it, a public plan with rates based on Medicare. They say it will have a severe negative effect on their facilities, that they lose a lot of money every year, hundreds of millions of dollars. Because what happens is that Medicare, a government-run plan, pays its doctors and its clinics and its hospitals about 80 percent of what private insurance companies are paying. So roughly 177 million of us have private insurance of one kind or another. If a doctor sees you, he gets paid 100 percent. But if you go to one of these clinics and hospitals, they are paid according to the government rate, which is roughly 80 percent of the private rate. These clinics say that is not sustainable for them, and that if that continues, some of those providers, such as the Mayo Clinic, will eventually be driven out of the market. What market? The market for Medicare patients. Those are the 45 million senior Americans who absolutely depend on Medicare for their service because for most of them, that is their only option. If that is the case, what that means is they will not be able to go to the Mayo Clinic or to the MeritCare Health System or to the Iowa Clinic or to the doctor they choose because that doctor will not be a part of the Medicare system because of low reimbursement.

So that is the first objection these clinics make to the bill they see coming because the bill they see coming proposes to create another government-run plan with government-set rates.

The second objection they have is geographic payment disparities. They say that we are a big country and there ought to be differences in the pay among different geographies.

Third, and maybe this is the most important of all, that the President has said and many of us in the Senate have said we need to change the way we pay for medical care, and we ought to pay more for value, for quality, for results, and less for volume—in plain English, not how many patients a doctor can see but how many of his or her patients stay well or get well.

We have talked about that for weeks here in our hearings. But what these respected voices in medicine are saying is that the legislation we see today—and understand, this is not even in a bill that has presented to us in the Senate yet in a way upon which we can act—does not meet the test for that. The legislation we have seen so far is running into a lot of trouble.

David Broder, the respected columnist from the Washington Post, said that the plans which have been passed in a partisan way are ''badly flawed'' and ''overly expensive.'' I mean, the Democratic plans; we have Republican plans that we would like to be considered. I mentioned that the Wyden-Bennett plan, which is the only really bipartisan plan here, has not been given one bit of consideration so far in the Senate. And then Senator BURR and Senator COBURN have a plan, Senator GREGG has a plan, and Senator HATCH has a plan. We all have different ideas. As I said, we would like for them to be considered, today I'm talking about the Democratic plans that are now being considered.

The Congressional Budget Office, of course, is the nonpartisan office in this Congress that we count on as an umpire to tell us what we are really doing. It is not supposed to have any political rhetoric. Last Thursday, the head of the Congressional Budget Office, Douglas Elmendorf was asked at a Senate Budget Committee hearing what he thought about the bills which had begun to emerge.

He said:

The legislation significantly expands the Federal responsibility for health care costs.

In other words, here we go, at a time when we are in a recession and where the President's proposals for other programs will add more to the debt in the next 10 years, three times as much as we spent in World War II, and we are talking about legislation that would add another $2 trillion. We haven't dealt with cost which is where we ought to start. Look at the 250 million who have health care and ask the question: Can you afford it? Then after we get through fixing it, can you afford your government? And what the head of the CBO is saying, as far as the government goes, the answer is no.

Then the Lewin Group, a well-respected private agency, was asked what would happen if we had a government-run program which many of us believe will lead to another Washington takeover. We are getting accustomed to this, Washington takeovers of banks, of insurance companies, of student loans, of car companies, now maybe of health care. The Lewin Group said 88 million people will lose their private employer-sponsored insurance. How could that happen? It could happen because a small employer or a big employer would see one of these plans that is beginning to come out take place. To be specific, the Senate HELP Committee plan says you either have to provide everybody who works for you insurance or pay $750. There are a lot of employers who cannot afford to provide everybody the kind of insurance that is envisioned. So they will say: OK, we will pay the $750 fine to the government. What happens? All those employees lose their health insurance. Where do they go? Into the Government plan. That is their option. Some of them may have a choice of other plans, but if they do have a choice and one of the choices is a government-run plan, it may have the same future the Mayo Clinic and others were saying Medicare was causing to them.

The government will set a low price for the doctors and a low price for the clinics. So all these employees who now have insurance that they like will lose that insurance because of the passage of this bill. The government will set the provider rates and physician rates low, and so they will be part of a government plan for which many doctors and many hospitals and many clinics will not offer services. It is similar to giving somebody a bus ticket to a bus station with no busses.

Then there are the Medicare cuts. According to the Washington Post last week, Medicare cuts will pay for one-half the cost of health care for the uninsured in one of the bills being proposed.

If we are to find savings in Medicare and take from the 45 million elderly people who depend on Medicare, every bit of those savings ought to be put back into Medicare and not spent on some new program. I don't think legislation that is paid for half by Medicare cuts is going to go very far in this Chamber.

Then there are the employer taxes. According to the National Federation of Independent Businesses, the House version has an 8-percent Federal payroll tax. I mentioned the Senate

version, a $750 annual fine per employee, if the employer doesn't offer insurance. The NFIB, small businesses, estimates that will lose about 1.6 million jobs.

How could that be? Well, if a small employer or even a large one has government-mandated costs added and they have less money, they will hire less employees. That is one of the options they have.

Then there is the income surtax. There is a whole string of trouble for these bills. USA Today on Monday said: It is the highest tax rate in a quarter of a century that is proposed: A 45-percent top tax rate with all taxes included.

Then rationing, there are provisions in this bill which would have the government make decisions about which treatment you will have and how long you will have to wait to see a doctor.

Finally—I say ''finally'' because this is the subject I want to spend a moment on—there is the Medicaid State taxes. Sometimes this gets confusing. Mr. President, 177 million Americans have private insurance, but a lot of people have government insurance now. Veterans do. Military people have TRICARE insurance. About 45 million older people have Medicare. But then there is a program called Medicaid, which is the largest government-run program. About 60 million people are in it now. The Federal Government pays about 57 percent of it, and the States pay 43 percent. Every Governor I know—and I was once one—has struggled with the Medicaid Program. I once came up here in the early 1980s and asked President Reagan to take it all, let the Federal Government run it and give us Governors all of kindergarten through the 12th grade. I thought that would be a good swap.

I saw a couple of Democratic Governors earlier today, and we talked about the story every Governor faces. If you have an extra dollar and you want to put it in higher education so you can improve the quality of the University of Colorado or Tennessee or keep tuition from going up, what happens to it? That dollar is stolen because it has to go in the increasing Medicaid cost. It is an inefficiently managed program. The Federal Government keeps changing the rules. The Governors have to get permission from Washington whenever they make minor changes. It is demolishing State governments right and left.

If our real goal is to help people, then why under these new plans do we say to low-income people—defined as, say, a family of four who makes less than $32,000—your only option is going to be to go in the Medicaid Program under this plan. It is estimated by the Congressional Budget Office and others that 15 or 20 million Americans will be added to the 60 million in the Medicaid Program. What will they find when they get there? They will find that 40 percent of the doctors don't see Medicaid patients. When we add another 15 or 20 million people to it, it may be a larger number. Why don't they do see Medicaid patients? For the same reason the Mayo Clinic warned about this government plan in its letter. It is because Medicaid only pays its doctors and its hospitals about 72 percent of what Medicare pays.

If you are confused by that, it works out pretty simply. Medicare pays 80 percent of what the private insurers pay, and Medicaid pays about 72 percent of what Medicare pays. If you are a doctor or a clinic or a hospital, you get paid about 60 percent, if you are helping a Medicaid patient, of what you would if you were helping one of us who has his or her own private health care. You can see that will be a pernicious trend. If we continue to dump low-income people into a government-run Medicaid Program, that is what will happen.

There is another thing that happens with Medicaid. Many members of the committees working on this bill said: We can't let that happen. We can't be inhumane and just say we are out here to help people who are uninsured, and we are going to dump 20 million of them into a government-run program that doesn't have enough doctors and hospitals and clinics. We will have to raise what we pay to doctors and clinics. That sounds good, but that is very expensive, particularly for a program such as Medicaid that, according to the Government Accountability Office, $1 out of every $10 is fraudulent, is wasted. That is $32 billion a year. That is the program we are going to expand? That is the program we are going to say to low-income people: Congratulations, go into this program where you are not likely to find a doctor every time you want one, and there are a lot of hospitals and clinics that will not take you because we will not pay them for that.

Because Senators and Congressmen hear that, they say: We will raise the rates. Here is the proposal: The proposal is, we are going to increase the number of people who are eligible for Medicaid by 133 to 150 percent of the Federal poverty level. That is a substantial increase. Then, if we are going to do that and put many more people into the program, we are going to have to order an increase in what we pay the doctors and the clinics to serve them, maybe up to 83 or 85 percent of the Medicare level.

Let me talk about what that would do in one State. We called the State Medicaid director in Tennessee. Our program is called TennCare. We said: What would it cost Tennessee if we increase coverage of Medicaid up to 150 percent of the Federal poverty level? The answer came back, nearly $600 million a year. That is the State's share of the cost which is a little more than a third. The Federal Government's share is twice that. So the Federal Government is saying: That is all right. We know Tennessee doesn't have the money to do that, so we will pay it all for the first 5 years. Then, after 5 years, so the talk goes—and we were told, when we were working on this bill, this is an assumption—we will shift these costs back to Colorado, back to Tennessee. Back comes what in today's dollars is about $600 million to the State of Tennessee.

Remember what I said. This is a program doctors don't want to go to because they don't get paid very well. So we will have to increase the amount of money we pay doctors. So if States are required to pay doctors and providers under the Medicaid system 110 percent of what Medicare is paid, that still isn't what doctors and hospitals get, if they see somebody with private health insurance. That is about the same amount of money, about $600 million added just for the State cost, which brings the total new state cost for paying physicians and hospitals more and for all the new people in the Medicaid Program to $1.2 billion. That is a huge amount of money.

We throw around dollars up here and figures that make any amount of money seem unimaginable. What is $1 trillion, what is $10 trillion, what is $40 billion. We former Governors can imagine it. I figured it out. If in 5 years you shifted back to the State of Tennessee just its share of those costs from the expansion of Medicaid and paying the doctors and hospitals more, the bill for the State of Tennessee to pay the increased Medicaid costs would be an amount of money that equals a new 10-percent State income tax.

The truth is, for our State—and I believe for almost every State—it is an amount of money that nobody has enough taxes to pay. You can run politicians in and out and defeat them for raising taxes all day long, and they still couldn't come up with ways to pay for it. In other words, these bills are based on a premise and assumption that will either bankrupt the States or, if the Federal Government says we will pay for it all, it will add $5, $6, $700 billion more over 10 years to the legislation we are considering.

We need to think that through. Is that the best way to help people who are low income? I don't think so. I think there are much better ways. The Wyden-Bennett framework is a better way. It rearranges the tax deductions we have for people who have health insurance from their employers and it says: Let's take the available money and give the money to low-income people who then buy private health insurance. It may be a very basic plan. But at least they would have health insurance, and they wouldn't be stuffed in a government program 40 percent of the doctors wouldn't see and that many of the best clinics and hospitals wouldn't allow them to come in.

We have been told already by the Congressional Budget Office that proposal would not add a penny to the debt. Not only does it not create a new government program, it actually makes the Medicaid Program, except

for Americans with Disabilities, history. In other words, if you are poor, you are not stuffed into a program that nobody else would want to join anyway. You have a chance to buy your own insurance, and you are not consigned to the worst run government program we have today.

So there are some real possibilities with health care, and there are some plans on the table that will lead us in the right direction. We have advice from distinguished Americans with a stake in this—which is every single one of us—but the most distinguished are those who deal with it every day. The Mayo Clinic is saying the proposed legislation misses the opportunity to help create higher quality, more affordable health care for patients. In fact, it will do the opposite.

Shouldn't we slow down and get it right? Shouldn't we get it right? This is the only chance we have to do this. If we do it wrong, we will not be able to undo it. This is 16, 18 percent of the American economy we are talking about. People have tried to do it for 60 years, and they failed.

The only way we will do it is if we do it together. The Democrats have big majorities over on that side. They do in the House. But that is not the way things usually happen around here. The President has said—and I take him at his word—and many of the leaders have said—and I take them at their word—that we would like to get 70, 80 votes for the health care result. We would too.

But in order to do that, we are going to have to do it the way we usually do when we have bipartisan events around here. We get some Democrats and some Republicans and they sit down with the President and they share ideas and they agree on some things. They don't just say: OK, here it is, and we are going to vote down almost every significant idea you have on the way through.

I respect the fact that Senator BAUCUS is trying to do that in the Finance Committee, and perhaps he will succeed, working with Senator GRASSLEY and others. But this is going to take some time. It cannot be done overnight. There are many sections to this bill. Each of them might be 500 pages long. They have enormous consequences to individuals. That is why we have all these clinics writing and saying: If you do it the way it looks like you are going to do it, you may drive us out of the business of helping Medicare patients.

Do we really want to do that? Do we really want to say to 45 million Americans who depend on Medicare: We are going to pass a bill that will accelerate the process whereby respected clinics and the doctor you might choose will not see you anymore because they cannot afford to because the government will not pay them under the system we have?

So I would suggest we start over, literally, conceptually; start over and listen to these clinics and doctors and focus on the delivery system and focus, first, on those 250 million Americans who already have health insurance and ask the question: Can they afford it? And, what could we do to make it possible for those Americans to afford it? And can we do it in a way that permits us to be able to honestly say when we are through that those same 250 million Americans can afford their government when we are through without adding to the debt?

Then let's look at the 46 million people who are uninsured. Of course, we need for them to be insured. But the fact is, 11 million of the uninsured are already eligible for programs we already have; 10 million or so are noncitizens—half of them legally here, half of them not; a large number of them are making $75,000 a year and could afford it but just do not buy it; and another significant number are college students.

So we are going to have to go step by step by step and see in what low-cost way we can include a large number of these 46 million Americans, who are not part of the system, in the system. But that is the wrong place to start. That is the place to end.

So, Mr. President, all I am saying is, on the Republican side of the aisle we can tell you what we are for. Some of us are for the Wyden-Bennett bill with our Democratic colleagues. That is the only bipartisan bill before us today. It has not even been seriously considered by this body, but it is there, and it has significant support in the House. We have two doctors over here: Dr. BARRASSO, who has been an orthopedic surgeon for 25 years, and Dr. COBURN from Oklahoma, an OB/GYN doctor. They would like to be involved in the process. So far their ideas are not really being adopted in the result we might have. We have Senator GREGG from New Hampshire, one of the most respected Senators, who has been a part of many bipartisan efforts, and he has his own bill. He would like to be more a part of it, but his ideas do not fit the way things are going. But the way things are going are too expensive for the Congressional Budget Office and take us in the wrong direction, according to the Mayo Clinic.

So maybe we ought to step back and say: Well, let's listen to these other ideas. Let's go very carefully. Let's work with the President. Let's see if we can get a result. Let's keep a four-letter word out there that is a good word; and that is ''cost,'' and make sure we focus first on the 250 million Americans who have health insurance and make sure they can afford it; and, second, make sure when we finish fixing health care that those same Americans can afford their government.

I thank the Presiding Officer, and I yield the floor.

EXHIBIT 1

JULY 16, 2009.

Hon. RON KIND,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN KIND: On behalf of some of the nation's leaders in health care delivery, we write to you today to comment on the House health care reform bill introduced earlier this week. We would like to thank you for the opportunity to comment on this legislation. We applaud the Congress for its commitment to passing comprehensive health care delivery system reform this year. However, we have significant concerns about the current language of the bill and we ask that these concerns, set forth below, be addressed before the committee action is concluded.

MEDICARE-LIKE PUBLIC PLAN

First, we are concerned that a public plan option with rates based on Medicare rates will have a severe negative impact on our facilities. Today, many providers suffer great financial losses associated with treating Medicare patients. For example, several of the systems that have signed onto this letter lost hundreds of millions of dollars under Medicare last year. These rates are making it increasingly difficult for us to continue to treat Medicare patients. The implementation of a public plan with similar rates will create a financial result that will be unsustainable for even the nation's most efficient, high quality providers, eventually driving them out of the market. In addition, should a public plan with inadequate rates be enacted, we will be forced to shift additional costs to private payers, which will ultimately lead to increased costs for employers who maintain insurance for their employees. We believe all Americans must have guaranteed portable health insurance, but it is critical that we not lose sight of the need to ensure adequate and equitable reimbursement.

GEOGRAPHIC PAYMENT DISPARITIES

Second, our health care systems are among the most cost-efficient in the country in caring for Medicare patients. However, many of us operate in states with some of the lowest Medicare reimbursement rates in the nation. Current physician payments due to geographic disparities are actually greater under Medicare than under commercial insurance. This may be difficult to believe, given the government's rate-setting power, but flows from the fundamentally flawed payment methodology. To date, health care reform proposals simply continue the current payment methodology, despite the fact that formula changes have been identified to address this problem. We support payment changes that work to reduce geographic disparities, rather than perpetuating the flaws in the current payment system. While we believe that the Institute of Medicine study is a good first step, we encourage Congress to take this further and enact payment reforms that will address the existing disparities.

VALUE INDEX PROPOSAL

Third, consistent with statements from President Obama, we believe that focusing on, defining, measuring, and paying for value is essential for controlling cost within the U.S. health care system. The system must be reformed to compensate for value instead of volume. We believe inserting a value index into various aspects of the Medicare payment system (e.g., physician fee schedule, hospital rates) is the means to accomplish this end goal of compensating for quality rather than quantity.

We appreciate the opportunity to comment on this legislation. We urge you to address the above-stated concerns, which will demonstrate that Congress is serious about preserving the best parts of the existing health

care delivery system. If we can be of assistance to you moving forward, please do not hesitate to contact us.

Sincerely,

Everett Clinic, Gundersen Lutheran Health System, HealthPartners, Intermountain Healthcare, Iowa Clinic, Marshfield Clinic, Mayo Clinic.

MeritCare Health System, Park Nicollet Health System, Rural Wisconsin Health Cooperative, ThedaCare, Wisconsin Hospital Association, Wisconsin Medical Society.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Illinois.

Mr. BURRIS. Mr. President, throughout this Nation's history, our freedom—and at times our very survival—has rested squarely on the shoulders of the men and women of our Armed Forces.

As a member of the Armed Services Committee, I am proud to know many of these brave warfighters we have. We rely upon their training and discipline. We depend upon their service and their sacrifice. In return, we owe them nothing but the very best.

That means keeping our commitment to every soldier, sailor, airman, and marine at every stage in their career—from the day they report for training to the day they retire and beyond.

We can start to honor this commitment in the most basic way by ensuring that their facilities are safe and adequate. That is why I plan to offer an amendment that would help eliminate vegetative encroachment on training ranges. Excessive vegetation can actually render training grounds unusable. If a training range is heavily overgrown, it can lead to dangerous situations, including fires and obstructive lines of sight.

In a recent study by the U.S. Army, 70 percent of the facilities surveyed are experiencing limitations due to uncontrolled vegetation. This is unacceptable. We must take action now.

My amendment calls upon the Secretary of Defense to perform a comprehensive study of training ranges across every branch of the military. We must develop a plan to reclaim any overgrown land for its rightful use by our fighting men and women of America. This will help us ensure that we can train them adequately and safely so they can fully prepare for any mission they are assigned to perform.

But we cannot stop there. Our commitment begins on the day someone volunteers for service in the Armed Forces. But it does not end, even after their service has drawn to a close. That is why I believe it is important to extend dislocation benefits to every servicemember, including those whose service is coming to an end.

Over the course of a career in the American military, a service man or woman and their family may be ordered to relocate a number of times—moving here, moving there, this assignment, that assignment. Each move can be quite costly. From basic travel expenses to the purchase of household goods to utilities to rent, it takes a lot to relocate an entire family.

Since 1955, Congress has helped members of the service defray these costs by paying a ''dislocation allowance'' to each person we reassign to a new duty station. This eases the financial burden on military families and means that personnel decisions can be made without fear of breaking the bank—at least for most servicemembers, that is.

Unfortunately, those who retire are not covered under the current system, despite the fact that their final orders may require a permanent change of station. So after years of supporting service men and women when we ask them to relocate, we abandon them at the time of their final move. We leave them to fend for themselves, even though the expenses they incur will be as high as ever, and even though their income has been reduced to half of what they had been paid during Active Duty.

So we simply cannot stand for this. We cannot allow those who have served us honorably to be left out in the cold at the end of their careers. We must offer these benefits to all Members of our Armed Forces, even those who have been asked to move for the last time.

That is why I am calling for a study to examine the feasibility of extending the dislocation allowance to retiring servicemembers. We should find a way to make this work. The cost of moving demands it. Our servicemembers support it. And, most importantly, it is the right thing to do for our troops.

Colleagues, Members of this great body, let's come together to stand for those who sacrifice on our behalf and protect this great country of ours that allows us to do what we do in America, with freedom and opportunity. Let's provide our men and women in uniform with the support they need at every stage of their careers—from the first day of basic training to the day they are discharged.

Cutting down on vegetation encroachment will keep our trainees safe and help prepare them for years of honorable service. When that service ends, dislocation benefits will help them retire with some measure of financial security.

So I urge my colleagues to join with me in supporting these initiatives I put forth. We owe our troops nothing less.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. 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. DEMINT. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. DEMINT. Mr. President, I wish to speak for a few minutes about health care and the need for health care reform in the country today. I think most Americans would agree we need to do everything we can to make affordable health insurance available to every American and, hopefully, that is what this health reform debate will be about.

Unfortunately, we are seeing a pattern develop here that has been going on all year—since the President took office—that has many Americans alarmed at the rapid pace we are spending and borrowing, imposing new taxes, and taking over various aspects of the American economy. I know a lot of Americans are alarmed and some are outraged. More than any other comment, I am hearing Americans say: Why don't you slow down and read the bills before you continue the expansion of government.

Now we are talking about health care, and we see that same pattern of crisis and rush and it ''has to be done today, hair's on fire'' type of mentality here in Washington so that we almost have to call this a ''son of stimulus'' health care bill. Because certainly the last time the President tried to ram a massive bill through Congress before we had a chance to read it, we ended up with this colossal stimulus failure that has actually resulted in the loss of jobs in America and a burden of debt on our children that is almost unimaginable. It makes no sense for us to follow that same pattern with health care—nearly 20 percent of our economy—to have a government takeover with a bill we haven't even completely seen yet, that is supposed to be passed in the next 2 weeks, even though the bill wouldn't take effect until 2013. What is the rush? The whole purpose of the Senate is to be the place where the legislation comes to cool down, where we deliberate, we look at the details. The President himself has admitted he is not aware of the details of the bill he is out selling every day.

We do have serious problems in health care that we need to fix. The unfortunate thing is I have no confidence that the President actually wants to make health insurance affordable and available to all Americans because when he was in the Senate, Republicans proposed a number of alternatives that would have done that. Yet in every case—every opportunity he had to make health insurance more available and affordable to Americans—he voted no. Let's review some of them, because I think we have to recognize that the point of this health care debate is not to make sure every American is insured, but to make sure the government is running our health care system. The most personal and

private part of our lives they are talking about turning over to bureaucrats at the Federal level. This makes no sense.

What we could do is be fair to those who don't get their health insurance at work. If people get their health insurance at work, as we do here in Congress, your employer can deduct the cost of it and the employee is exempt from paying taxes on those benefits. That is equivalent to about a $5,000 a year benefit to families who get their health care or health insurance at work. Why can't we offer that same fairness to Americans who don't get their health insurance at work? It is something I actually proposed here in the Senate while President Obama was a Senator, that we would give fair tax treatment; at least let them deduct it from their taxes. He voted no, as did I believe every Democrat, and they killed the bill in the House. This was basic fairness to make health insurance a little more affordable to people who didn't get it at work. The President voted no.

We hear a lot of talk about how we need a government plan to make the private plans more competitive. Why not make all the insurance companies compete with insurance companies all over the country instead of what we do now? A lot of Americans don't know that the reason we don't have a competitive private health insurance market is that the Federal Government makes it impossible. You have to buy your health insurance in the State where you live, so a few insurance companies basically have monopolies in every State of the country. What if someone such as myself who lived in South Carolina could look all across the country, find a policy I wanted at a better price, and buy it? Why can't we do that? Well, I proposed we do that. We introduced it on the Senate floor. It would have created a competitive health insurance market and allowed people to buy all over the country. Barack Obama voted no, as did all of the Democrats, to kill the bill. Now they are talking about: Well, we need a government option to create some competition, to have a real competitive market. He voted against it.

What about allowing Americans who put money in a health savings account, or their employer puts it in there for them—their own money—why not let them use that money to pay for a health insurance premium if they don't get it at work? It sounded like a good idea to me, to make it a little bit easier, a little more affordable to have your own health insurance, so I proposed that bill here in the Senate. Barack Obama voted no, as did all of the Democrats, and they killed the bill.

What about the idea of allowing a lot of small employers—I was a small businessman for years. It was hard to buy health insurance as a small employer, but I did. It cost me a lot of money, a lot more than the big employers. But what about allowing a lot of small employers to come together and form associations and buy health insurance so they could offer it to their employees less expensively? Well, it is a good idea that was offered right here on the floor of the Senate by Republicans. Barack Obama voted no, as did most of the Democrats, and they killed the bill.

There is a long list here I could go through, but every single bill, every single health reform idea that has been proposed here, the President, when he was in the Senate, voted against. Everything that would have made health insurance available and affordable to the average American who doesn't get their insurance at work was voted no by this President.

Now he is saying, We need the government to take it over because it is not working. The reason it is not working is we won't let it work. The part of health insurance, the health care system that works the best today is when you have your own health insurance and you pick your own doctor and you and your doctor decide what kind of health care you are going to get. It is not a perfect system, and insurance companies have a lot of work to do to make things work better because I have to argue with them a lot myself. But the part of the health care system that doesn't work is the part that the government runs, Medicaid and Medicare, the SCHIP and TRICARE. Some of the people who get those benefits such as our seniors say Medicare works fine, but, unfortunately, doctors don't want to see them coming because Medicare and Medicaid don't cover the cost of even seeing a patient. So many physicians are closing their practices to our seniors because they have government health insurance. Government health care does not pay enough for the physician and the hospital to see the patient, so they shift the cost over to the private market.

The worst part of all of these government plans is they are trillions of dollars in debt—debt that our children are going to have to pay back. These programs are broke. Yet they want to expand these programs. They want to take the part of health care that is not working and essentially force it on every American. They want every American to have a Medicaid plan where doctors don't want to see us coming because we are not paying enough of their costs.

As I look at this whole health care reform debate—and I am glad to see the President out taking shots at me for saying we have to stop him on this, because we have been on a rampage since he took office, passing one government program after another, expanding spending and debt at levels we have never imagined in this country. It is time to slow down and take stock of where we are. Other countries that have to lend us money to keep us going are beginning to wonder, Can we pay our debts? We have doubled our money supply by the Federal Reserve, and that means big inflation, higher interest rates. Yet we are moving ahead with this health care plan that is going to expand our debt as a nation, raise taxes on small businesses that create the jobs. It looks as if we are going to penalize Americans who don't decide to buy health insurance, and we are moving again toward a government program that we know won't work. There is not one Federal program that has worked as advertised, that has worked to the budget we said it would be to. This week we have had announcements of what we have already passed as far as stimulus over the last year is going to mean trillions of dollars—trillions of dollars—we are going to have to borrow and that our children are going to have to pay back.

I appeal to my colleagues: We don't need to rush through a bill in the next 2 weeks before we go on our August break that affects one-fifth—20 percent—of our total economy, that gets the government to effectively take over the most personal and private service that we ask for as Americans. We don't need to pass a bill such as that, that we won't even have time to read. What the President and I think a lot of the proponents of this bill are afraid of is if we are able to go home on the August break and we take this bill and we put it on the Internet where people can read it, and radio talk shows and bloggers all around the country are able to tell the American people what this bill is and what it will do, and get past this utopian rhetoric that we are hearing from the President and look at the nuts and bolts, because everything he is saying this bill is going to do the Congressional Budget Office and other experts are saying, No, it isn't going to work that way. It isn't going to save us money, it is going to raise our taxes, it is going to cost jobs in America, and it isn't going to fix health care.

We need to go back to the basics, including some of what I have mentioned already, that would reform health care and make private health insurance work better, make it more affordable, and get it into the hands of more Americans. Why should we give up on freedom and move to a government plan when we haven't even given freedom a chance to work in health care?

I know the government can't run health care and I don't want them running my plan. One of the best ideas I have heard in this debate is whatever we pass, Congressmen and Senators ought to have to take that health plan. I am going to have an amendment to that effect if they try to get this on the floor before August.

But I appeal to my colleagues: Let's listen to the American people. Let's stop this rampage toward bigger and bigger government. Let's take our time and look at this bill and, for once, do something right. Our health depends on it.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

AMENDMENT NO. 1515

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the pending amendment be laid aside in order that I might call up amendment No. 1515.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. NELSON] proposes an amendment numbered 1515.

Mr. NELSON of Florida. 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 repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation)

At the end of subtitle D of title VI, add the following:

SEC. _____. REPEAL OF REQUIREMENT OF REDUCTION OF SBP SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking ''does not apply—'' and all that follows and inserting ''does not apply in the case of a deduction made through administrative error.''; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking '', 1450(k)(2),''.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking ''Except as provided in paragraph (2)(B), the Secretary concerned'' and inserting ''The Secretary concerned''; and

(2) in paragraph (2)—

(A) by striking ''DEPENDENT CHILDREN.—'' and all that follows through ''In the case of a member described in paragraph (1),'' and inserting ''DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1),''; and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

Mr. NELSON of Florida. Mr. President, this is the widows and orphans amendment. This is the dastardly subject we have been dealing with for years, where there is an offset from an insurance payout, that servicemembers pay insurance premiums and/or retirees pay premiums, which is offset by Veterans Department disability compensation, which otherwise the veteran's surviving spouse and children would be able to, under existing law, be eligible for both, but there is an offset.

This particular amendment is going to eliminate that offset. Every year, we come to the floor on the Defense authorization bill and we offer the amendment and we have an overwhelming vote in the Senate. Every year, it goes to conference and, for years and years, in the conference committee with the House, they would say you cannot pass an amendment that would even reduce the offset for widows and orphans. Only in the last couple years have we had some modest reduction of the offset. Then, on an earlier piece of legislation this year, we had a little bit more reduction of the offset. What this amendment will do is completely eliminate the offset.

I wish to point out at the outset, I have a letter from the Military Coalition, and I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE MILITARY COALITION,
Alexandria, VA, July 15, 2009.

Hon. BILL NELSON,
U.S. Senate,
Washington, DC.

DEAR SENATOR NELSON: The Military Coalition (TMC), a consortium of nationally prominent military and veterans organizations, representing more 5.5 million members plus their families and survivors would like to thank you for your sponsoring of Amendment No. 1515 of FY2010 NDAA (S. 1390). This Amendment, like your bill, S. 535, would repeal the law requiring a dollar-for-dollar deduction of VA benefits for service connected deaths from the survivors' SBP annuities. The elimination of this survivor benefit inequity is a top legislative goal for TMC in 2009.

We strongly believe that if military service caused a member's death, the Dependency and Indemnity Compensation (DIC) the VA pays the survivor should be added to the SBP benefits the disabled retiree paid for, not substituted for them. In the case of members who died on active duty, a surviving spouse with children can avoid the dollar-for-dollar offset only by assigning SBP to the children. That forces the spouse to give up any SBP claim after the children attain their majority—leaving the spouse with only a $1,154 monthly annuity from the VA. Those who give their lives for their country deserve fairer compensation for their surviving spouses. Your amendment would also end this inequity.

The Military Coalition again thanks you for sponsoring this Amendment to restore equity to this very important survivor program and encourages your colleagues vote for its passage.

Sincerely,

The Military Coalition:

Air Force Association, Air Force Sergeants Association, Air Force Women Officers Associated, American Logistics Association, AMVETS, Army Aviation Assn. of America, Assn. of Military Surgeons of the United States, Assn. of the US Army, Association of the United States Navy, Commissioned Officers Assn. of the US Public Health Service, Inc. CWO & WO Assn. US Coast Guard, Enlisted Association of the National Guard of the US, Fleet Reserve Assn., Gold Star Wives of America, Inc., Iraq & Afghanistan Veterans of America, Jewish War Veterans of the USA, Marine Corps League, Marine Corps Reserve Association, Military Officers Assn. of America, Military Order of the Purple Heart, National Association for Uniformed Services, National Guard Assn. of the US, National Military Family Assn., National Order of Battlefield Commissions, Naval Enlisted Reserve Assn., Non Commissioned Officers Assn. of the United States of America, Reserve Enlisted Assn. of the US, Reserve Officers Assn., Society of Medical Consultants to the Armed Forces, The Military Chaplains Assn. of the USA, The Retired Enlisted Assn., USCG Chief Petty Officers Assn., US Army Warrant Officers Assn., Veterans of Foreign Wars of the US.

Mr. NELSON of Florida. This letter supports this legislation. It is from the Military Coalition. The Military Coalition is a group of 34 organizations, and their signatures are on the letter—alphabetically, from the Air Force Association all the way to the last one on the list of 34, the Veterans of Foreign Wars of the United States. All those organizations that you would expect are in between; there are 34 of them endorsing this amendment.

I wish to tell you about this particular amendment. I filed this bill—and this is nonpartisan—years ago with Senator SESSIONS and eight other original cosponsors. It will repeal the law that takes almost $1,200 per month from families who have lost a loved one because of military service. This survivors benefit plan, otherwise known

by its initials as SBP, is an annuity paid by the Defense Department. Survivors receive the benefit when either a military retiree pays a premium as income insurance for their survivors or when a servicemember dies on Active Duty.

The other law is dependency and indemnity compensation, referred to by its initials DIC. It is a survivor benefit paid by the Veterans' Administration. Survivors receive this benefit when the military service caused the servicemember's death.

What this amendment will do is fix this longstanding problem in the military survivor benefits system. The problem is, it requires a dollar-for-dollar reduction of the survivor benefits from the SBP, paid by the Department of Defense, offsetting against the dependents and indemnity compensation, DIC, paid by the Veterans' Administration.

You know the great quote, following one of America's bloodiest wars, by President Lincoln in his second inaugural address—and the war was still raging at that point. He said that one of the greatest obligations in war is to ''finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle''—in other words, the veterans—''and for his widow and his orphan.''

Following Lincoln's advice to honor truly our servicemembers, they need to know their widows and orphans, their survivors, will be taken care of. We certainly agree that the U.S. Government must take care of our veterans, their widows, and their orphans. In keeping with that principle, we need to repeal this offset that denies the widows and orphans the annuity their deceased loved ones have earned on Active Duty or have purchased for them. A retired military member can purchase this SBP, and it is an insurance policy so their survivors will have income.

Over in the Veterans' Administration, we have a law that says, if you are disabled a certain percentage, we are going to take care of you. One should not offset the other—particularly, when somebody has paid premiums on an insurance policy.

Well, that dollar-for-dollar offset is what has me so agitated for a decade now. I have already explained that, for the survivors benefit plan, there are two ways to qualify: The military retiree goes out and voluntarily pays into an insurance program with their retirement income. Later, the statute was added that the survivors benefit plan is available to an Active-Duty servicemember if they are killed as a result of military service. For retirees, the SBP is an insurance program that protects the income of survivors; and for Active-Duty military members, SBP is compensation for the servicemembers' beneficiaries.

On the other hand, the dependents indemnity compensation is a benefit payment to the survivors of a servicemember who dies from a service-connected condition. For almost a decade, I have fought to repeal the law that requires the dollar-for-dollar offset of these two very different benefits. Back in 2005, the Senate took the step in the right direction and passed, by a vote of 92 to 6, my amendment to repeal that offset. When it got down to the conference committee, you know what happened. In the 2008 Defense authorization bill, we cracked the door to eliminating the offset. In the conference committee negotiations with the House, we made some progress when we got a special payment of $50 per month, which would now increase to $310 per month by 2017 because of money savings found in the tobacco legislation passed earlier this year.

Our efforts have been important steps in the right direction, but they are not enough. We must meet our obligation to the widows and orphans with the same sense of honor as was the service their loved ones had performed. We need to completely offset this SBP and DIC. We must continue to work to do right by all those who have given this Nation their all and especially for the loved ones they may leave to our care.

In that letter that I have had entered into the RECORD, it says:

> The elimination of this survivor benefit inequity is the top legislative goal for [the Military Coalition] in 2009.

I will not take the time to read the names of the 34 organizations that signed the letter, but they are all fairly well known to every one of us.

On February 24 of this year, during a joint session of the Congress, the President said:

> To keep our sacred trust with those who serve, we will raise their pay, and give our veterans the expanded health care and benefits they have earned.

I say amen to that. I ask that President Obama help us end this injustice to widows and orphans of our Nation's heroes.

Mr. President, may I inquire if there is someone else who wants to speak now, because if there would not be, I would like to speak as in morning business.

Mr. MCCAIN. I object. Let's dispose of the amendment.

The PRESIDING OFFICER. The Senator from Arizona objects.

Mr. MCCAIN. I object to the Senator from Florida going into morning business until we dispose of the amendment. Then he can do it right away.

Mr. NELSON of Florida. I merely inquired if another Senator wants to speak. Certainly, I would withhold asking for a unanimous consent.

Mr. SCHUMER. Mr. President, I intend to speak on the Thune amendment and was scheduled to speak in the next few minutes. If it is OK with the floor leaders, if my colleague will speak for a brief amount of time, I am happy to go after him. It is up to the floor managers.

Mr. MCCAIN. Mr. President, I say to the Senator from Florida, we will find out if there are others who want to speak on his amendment. If not, we are in favor of disposing of his amendment. Part of the agreement we made, in order for us to proceed, was that if anyone came to the floor to speak on the pending amendment, that Senator would have priority. If it is agreeable to the Senator from Florida, the Senator from New York would go ahead and then we could go back to him speaking in morning business.

Mr. NELSON of Florida. Of course. It is my understanding the Senator from South Carolina had just spoken as in morning business. That is why I was inquiring. I am very grateful to the ranking member of the committee for us to go ahead and dispose of this amendment.

Mr. MCCAIN. Why don't we wait until after the Senator from New York finishes, to make sure there is no one else who wants to speak on the amendment of the Senator from Florida.

Mr. SCHUMER. Mr. President, if my colleague needs 5 minutes, I am happy to yield to him, if I would come after that. I ask unanimous consent that be the case.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

Mr. NELSON of Florida. I thank the Chair.

(The remarks of Mr. NELSON of Florida pertaining to the introduction of S. 1484, S. 1485, S. 1486, and S. 1487 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. REED. Mr. President, if the Senator from Florida is prepared, I have conferred with the ranking member, the Senator from Arizona, and we are prepared to voice vote the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 1515) was agreed to.

Mr. NELSON of Florida. 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 Senator from New York.

AMENDMENT NO. 1618

Mr. SCHUMER. Mr. President, I know we are not now on the Thune amendment. I know we have gone aside to other amendments and that we will be debating Thune tomorrow morning, but there are so many of my colleagues who want to speak, and I have a lot to say. So I will speak for 5 minutes tomorrow morning, but I will give the bulk of my speech this afternoon.

Mr. President, I rise in staunch opposition to the Thune amendment. I believe it is a dangerous amendment that would go far beyond authorizing gun possession for self-defense and not only create a serious threat to public safety but also severely undercut American federalism.

Amendment No. 1618, authored by Senator THUNE, would force States and localities from across the Nation to permit individuals from other States to carry hidden and loaded handguns in public, even where the elected representatives of those States have chosen to bar these persons from possessing firearms. The legislation would require every State with concealed carry legislation to honor concealed carry licenses issued by any other State so long as they abide by the State's location restrictions for concealed carry.

This amendment is a bridge too far and could endanger the safety of millions of Americans. Each State has carefully crafted its concealed carry laws in the way that makes the most sense to protect its citizens. It is obvious what is good for the safety of people in New York City or Philadelphia or Chicago or Miami or Los Angeles is not the same thing that is needed in rural Idaho or rural Tennessee. Yet this amendment, in one fell swoop, says the protections some States feel they need to protect law enforcement, to protect its citizenry, would be wiped away.

The amendment will incite the dangerous race to the bottom in our Nation's gun laws. Let's examine the lineup of people who could carry concealed weapons in 48 States under this amendment. And I don't disparage each State for doing what it wants within its own borders, but why impose that on States outside their borders?

Arizona law allows a concealed carry permit to be issued to an applicant who is a known alcoholic. So alcoholics would be in the lineup. They could carry a concealed weapon in States outside of Arizona simply because Arizona allowed them to do so.

Texas, which is one of the top 10 sources of guns recovered in crimes in New York City, a city in which I reside, is obliged to issue a permit to a person who has been convicted repeatedly of illegally carrying a handgun. Therefore, we can place arms traffickers in this lineup.

Mississippi law leaves access to concealed carry permits for members of hate groups.

Alaska and Vermont allow adult residents of their States to carry a concealed weapon without a license or background check as long as they are allowed to possess a gun, even if they have committed violent misdemeanors, have committed misdemeanor sex offenses against minors or are dangerously mentally ill and have been voluntarily committed to a mental institution.

Again, each State has its own views. The State of Vermont is a beautiful State. It is different from New York State in many ways, and the laws that fit for Vermont don't necessarily fit for New York.

A 17-year-old Crip or Blood from New York—a member of a gang; dangerous, maybe violent—could head to Vermont, obtain a Vermont driver's license, buy a gun, and return to New York or he could buy a whole bunch of guns and return to New York. When law enforcement stops him, a loaded gun tucked in his pants or a whole bunch of guns in his backpack, all he would have to do is claim he is a Vermonter visiting New York, show his Vermont ID, and the New York Police Department would be unable to stop him. This runs shivers down the spines of New York police officers, of New York sheriffs, of New York law enforcement. And it doesn't just apply to New York. This could apply to any large State.

Imagine law enforcement stopping one of these characters with a backpack full of guns—a known member of a major gang—and having to let them go. Imagine how empowered gun smugglers and traffickers would feel. Their business would boom. These are people who make money by selling guns illegally to people who are convicted felons. They could go to the State with the weakest laws, get a concealed carry permit—if that State allowed it, and in all likelihood it might—and then start bringing concealed guns into neighboring States and States across the country. Their business would boom, but our safety would be impaired. Imagine routine traffic stops turned into potential shootouts.

Police officers in New York have the safety and the peace of mind in knowing that the only people who might legally have a gun are those who have been approved by the police department. That is how we do it in a city such as New York. We have had our problems with crime. Thank God it is much lower now, due to the great work of the New York City police. But now they would be totally unprepared, walking on tiptoe. And if the criminal simply said: I am from this State—wow. I shudder at the thought.

Beyond the very real threat this poses to law enforcement and the safety of our police officers and the safety of our citizens, it would create a logistical nightmare. A police officer making a stop of a car would have to have in front of him or her the laws of all 45 States that now allow or whose residents would now be allowed or even whose people had gotten carry permits who would now be allowed to carry concealed weapons in New York.

What about States rights? I have not been on the side—it is obvious—of the gun lobby for as many years as I have been here in the House and Senate. I have always believed, though, there is a right to bear arms and that it is unfair to say the second amendment should be seen through a pinhole and the first, third, fourth, fifth, sixth, seventh, and eighth amendments should be seen broadly. I don't think that is fair.

But every amendment has limitations. Through the years when I have been involved in this issue, the NRA and other gun groups have argued, frankly, that the States ought to make their own decisions. All of a sudden we see a 180-degree hairpin turn. Now they are saying that the States cannot make their own decisions. Why is it that every other issue should be resolved by the States except this one? The amendment flies in the very face of States rights arguments and takes away citizens' rights to govern themselves.

I say to my colleagues who have laws and citizenry who probably want the laws not drawn as tightly as my State, if you open up this door, one day you will regret it. Because if you say that the Federal Government should decide what law governs, you are taking away States' right to govern themselves.

In the 1990s, after the passage of the Brady Act, the National Rifle Association funded multiple legal challenges to it, citing the 10th amendment, that the right to bear arms therefore resided in the States. Indeed, Mary Sue Falkner, who was then a spokesman for the NRA, said at the time:

> This is not a case about firearms per se, but about whether the Federal Government can force States and local governments against their will to carry out Federal mandates.

Similarly, in reference to Brady, the NRA's chief lobbyist said that the Federal Government was getting too much involved in State affairs.

The gun lobby's rallying cry has always been, ''Let each State decide.'' But with this amendment, again, a 180-degree flip.

Clearly, large urban areas merit a different standard than rural areas. To gut the ability of local police and sheriffs to determine who should be able to carry a concealed weapon makes no sense. It is wrong to take away any State's rights to make decisions about what can make a resident safer. A one-size-fits-all approach to community safety leads us down a very precarious road.

Make no mistake, this is a serious amendment. It is, even though not the intention of the author, a dangerous amendment. There will be needless suffering, injuries, and deaths if this amendment is agreed to.

I talked to my colleague Senator THUNE. We are friends. We saw each other in the gym this morning. He said to me: What about truckdrivers who have the gun in the cab of their truck and ride across State lines? I am sympathetic to that. I supported laws that allow police officers in New York to carry their gun when they cross over into New Jersey to shop or whatever. But you do not need this law to deal with that problem, because it creates so many other issues. There are ways we can deal with the problem that the Senator from South Dakota brought up

to me in the gym this morning, without decimating State laws that protect individual safety.

Make no mistake about it, this amendment would affect every State in the country, but I do not see the Governors on board. It would affect every city in the country. I don't see the mayors on board. It would affect every county in the country, but I don't see the sheriffs on board. It would affect every town in the country, but I don't see police chiefs on board.

Before we rush to judgment, shouldn't we ask our Governors, our mayors, our sheriffs, our police chiefs if this will make our communities safer or less safe? If this will put the men and women, the brave men and women who defend us and protect us on police forces, in jeopardy? Why don't we seek their guidance?

I urge my colleagues to give thoughtful and careful consideration to the consequences of the Thune amendment. I believe if they do, they will vote against it tomorrow at noon.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. DURBIN. Mr. President, as we meet here today we are discussing the Defense authorization bill. We debate it each year. It is basically an authorization for the expenditure of funds in defense of America. It is a significant bill with a lot of different parts. I commend the Senators who have brought this to the floor, Senator CARL LEVIN, the chairman of the Armed Services Committee, and his Republican counterpart, Senator JOHN MCCAIN.

I know this bill is important and I know we will be returning to substantive amendments on this bill very shortly. But while we have this break in the action, I want to address another issue which is being debated in almost every corridor on Capitol Hill, and that is the issue of health care reform. It is an interesting issue and an amazing challenge to this Congress, to try to grapple with the health care system in the most prosperous Nation on Earth.

Despite our prosperity, we know there is something fundamentally flawed with our health care system. We spend more than twice as much per person in America on health care as any other country, and the results do not show that money is being well spent. Many other countries, spending a fraction of what the United States spends, end up with very different and much better results in terms of survival from certain diseases and illness, and mortality rates. There is something to be learned here about how we can be more effective in providing health care for our citizens and not break the bank.

Most Americans know what I am talking about when I talk about cost, because they are facing cost issues every day. They know health insurance premiums in America in the last several years have gone up three times faster than the incomes and wages of Americans. We have learned it is not unusual for one-fourth of Americans to spend 1 out of every $10 in income for health insurance. Some, a smaller group but a significant group, spend up to $1 out of every $4 in income on health insurance. The number keeps going through the roof with no end in sight. It worries us, not just as individuals and members of families, but businesses that are trying to do the right thing for their employees and be competitive.

It worries units of government because, whether it is your State government providing assistance for Medicaid or whether it is the Federal Government concerned about Medicare and Medicaid, the costs of health care are growing so quickly that they could easily put us into a perpetual debt situation, something we do not want to see, something we cannot leave to our children.

Now we are debating in the House and in the Senate, in a variety of different committees, how to change this health care system. Needless to say, it is a contentious debate. There are a lot of different points of view. There are some people and companies in America that want no change in our health care system. Most people do. Some don't. Many of those who are resisting change, who are unwilling to support the President's efforts to move us in this direction, are the very same companies and people who are profiting from the current system.

Make no mistake, when you spend billions of dollars on a system, much more than any other country, you are going to end up in a situation where many people are profiting handsomely from the current system. When you talk about reform—reducing the cost, reducing the payments, being more cost effective—these people see money going out the window, and they are going to fight it.

That is what the battle is all about. We have been through it before, and now we have returned to it. But in addition to cost, there is also the issue of the availability of health insurance. This morning's Chicago Tribune, on the front page, told the story of a man who sadly is one of the victims of this situation. He lives in a suburb of Chicago, and he works as a doorman at one of the buildings. He had a bad back. He finally was told—he tried a lot of conservative treatment; it just did not work—you are going to have to have back surgery.

So he did what he was supposed to do. He went to his insurance company and said: The doctor is recommending a surgery, and I want to know if it will be covered by my health insurance. Well, the health insurance company sent back to him written confirmation that the costs of the surgery would be covered by his health insurance. So he went through with the surgery and ended up incurring $148,000 in medical bills.

I think you know how this story ends. They turned in the bills to the insurance company, and they denied them. They said: We did not really approve this surgery. You should have taken a more conservative approach to it.

Well, he thought he had done everything he was supposed to. What followed was a battle with this insurance company, day after day, month after month, while people were saying: Send us the $148,000. This man of limited means was fighting to finally get this health insurance company to pay what they promised to pay. It took him months.

When it was all over, Mr. Napientek, Michael Napientek, ended up with coverage. Had he failed to get the coverage for that surgery, it would have wiped out his entire life's savings. That is the reality of health care. That is the situation too many people find themselves in, so vulnerable in a situation where one medical bill denied by an insurance company bureaucrat can literally wipe out their life's savings.

We can do better. We have to do better. That is what this debate is all about. First, we have to reduce the cost of health care for families and businesses and governments across America. There are ways to do that. We can lower costs to make sure every American has access to insurance. We can make it clear that no one can be turned down for insurance coverage because of a preexisting condition. We can make certain there is no discrimination in the premiums that are charged individual Americans because one is a male and another female; one is a certain age and another not. We can make certain there is more fairness in the way people are treated by these health insurance companies.

This idea of denying coverage for preexisting conditions, imagine how frustrating that must be to realize that if you turned in a claim this year on your health insurance because you had a bad back, and you went to the doctor next year, when it came time for surgery they would not cover it.

This happened to a friend of mine, a fellow I grew up with in East St. Louis, IL, in the trucking business. He not only owned the business, he drove the trucks. When he reached 60 years of age, his back was killing him. Well, at that point his company had lost its health insurance. Why? Because the wife of one of the employees had a sick baby. Her sick baby incurred a lot of medical bills, and the cost of health insurance went through the roof. They

had to cancel the company's health insurance, give the employees some money, and say: Fend for yourself.

He was in the same boat. He went out to get private health insurance, complained about a bad back. The following year when the doctor said he needed back surgery, he turned in a claim to his health insurance company, and they said: No, it is a preexisting condition. We will not cover your back surgery.

Do you know what he had to do? He ended up filing a worker's compensation claim claiming that his back injuries had to do with bouncing around in a truck for 30 or 40 years, not an unreasonable conclusion. Do you know who he sued? He sued himself. He sued as an employee of the company. He sued himself as owner of the company.

Is that crazy to reach that point? And he won, incidentally. They said it is subject to worker's compensation. We will pay for the surgery.

He had done everything right, providing health insurance for his employees until he could not afford it, trying to get private insurance for himself at the age of 60, then turning in a claim and being turned down. He could have been wiped out by that surgery, just as the man on the front page of the Chicago Tribune.

We are all in this vulnerable situation because the health insurance companies have so much power over our lives. I listen to those on the other side of the aisle who come—not all of them but many—every single day and say we do not need to change this system. Who are they talking to? Who are they listening to? They are not listening to people like these who find out every day that they do not have coverage, that the cost of insurance is too high, that their doctor is in a debate with a clerk at an insurance company over whether they are going to get the necessary and proper treatment for a medical condition. That is the reality.

There are many ways to address this, and we should. We have to address it by making sure everyone has access to health insurance regardless of preexisting conditions, health status for a medical condition. We have to get rid of the so-called lifetime caps.

Imagine that a diagnosis tomorrow that you or someone you love in your family has a chronic condition that is going to call for medical treatment for a long period of time, and then you realize there will come a moment when that health insurance company would say: We are out of here. You just broke the bank. You hit the cap on your policy.

We have to put an end to that. We also have to limit the out-of-pocket expenses individuals have to pay. There comes a point where people cannot afford this expense. We have to require equal treatment for men and women—Black, White, and brown, young and old, whether they live in a rural area or in a city.

We have to make sure if a health insurance policy in America is offered, it is a good policy that covers the basic needs. There are policies that do not. They sell health insurance you can afford, and guess what. It is worthless. That is not good for America and it is not good for our families.

There are ways to lower costs. We ought to be pushing for prevention. We ought to be trying to find ways to keep people well, incentives for the right conduct and healthy outcomes. Right now there is not much of a reward or an incentive for wellness. We also have to give support to small businesses. When we look at the insured in America, most of them are small business employees and their children. The poorest people in America are covered by Medicaid, the government health insurance, as they should be.

Folks are fortunate, like myself, under the Federal Employees Health Benefits Program, and most others who have health insurance policies, to have coverage. But the folks in the middle who get up and go to work every day for the small businesses of America—and their kids—are the ones who do not have coverage. We can do better.

One of the proposals before us in Congress is to make sure small businesses can start getting into pools where they can use that pooling power to reach out and have health insurance coverage that is affordable. That is within our reach.

Senator REED is on the Senate floor today. He and I were fortunate enough to be at lunch today when our colleague from Connecticut, CHRIS DODD, got up and spoke about what had happened in the HELP Committee, the Health, Education, Labor and Pensions Committee, in preparing a bill on health care reform. There were 800 amendments filed. They met for 61 days. Some 400 amendments were considered and voted on. Over 100 of those were from the Republican side of the aisle. They were trying their best to create a bipartisan compromise to get through the bill.

But Senator DODD came up and talked about this, not in terms of a specific bill and its provisions; he talked about the historic opportunity we have. He said for many of us, for most of us now serving in the Senate, this may be the only time in our political careers when we can change the health care system for the better; when we can make sure that people in America have a better chance to be able to afford the cost of health care.

He certainly inspired us when he pulled out this magazine and showed us a picture of our colleague, Senator TEDDY KENNEDY, on the cover of Newsweek, and the quote from TED KENNEDY that says: ''We're almost there.''

There is a long essay in here about TED KENNEDY's terrific public career and how much of it has been spent on this issue of health care; what it meant to him personally when his son was diagnosed with bone cancer and had to have his leg amputated; what he went through in a plane crash; when he has seen others and what they have gone through.

TEDDY KENNEDY reminds us that these opportunities do not come around very often. There is lots we can debate and argue about, but at the end of the day the American people want to see the debate end. They want to see us acting together responsibly for health care that is centered on patients; to make sure they have a health insurance policy they like, that they can keep; to make certain they have a good strong confidential relationship with their doctors for themselves and their families; to make sure, as well, they are not excluded from coverage for preexisting conditions; to make sure that health insurance is going to be affordable; and to make sure it covers all Americans.

We can do it. We are a great and prosperous nation. We have a President who is committed to it. And working with him on a bipartisan basis we can get this done. We can work with the health care professionals—the doctors, the nurses, those leading hospitals—who can show us the way to reduce the cost of care without reducing its quality.

This is our chance. For those who are saying no, that they want the status quo, they do not want to change it, only a small percentage of Americans agree with them. Most Americans agree what I have talked about today needs to be done. We have to overcome those voices of negativity and doubt who continue to come to the Senate floor, those who create fear of change.

Let me tell you, this is a great, strong country that tackles big problems. We have never been assigned a bigger assignment than this one, health care for America. It touches all 300 million of us. We have to make sure it is done fairly, done effectively, and done quickly. If we let this drag out for months beyond this year, it is going to be harder and harder for us to reach our goal.

I encourage my colleagues on both sides of the aisle to work toward that goal, make certain that President Obama's leadership is rewarded with health care reform that does make a difference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 1501

Mr. BOND. Mr. President, I rise today to discuss an amendment that I am cosponsoring with my friend and fellow cochair of the Senate National Guard Caucus, Senator LEAHY. We will be introducing a bipartisan amendment to strengthen one of our Nation's most important military and civilian resources, the National Guard.

The National Guard, as I think everybody in this body knows, has a long and proud history of contributing to America's military operations abroad while providing vital support and security to civil authorities at home.

Since September 11, 2001, our citizen soldiers and airmen have taken on

greater responsibilities and risk, from fighting in Iraq and Afghanistan to providing critical disaster assistance in the United States.

Now we see the tremendous value of the National Guard forces every time we look as they confront terrorists, provide critical support in unique areas such as Afghanistan where the agribusiness development teams are working to help provide agricultural know-how and better income to the farmers of Afghanistan, to areas where they provide water, food, and health supplies to victims of natural disasters.

Furthermore, the Guard is a tremendous value for the capability it provides our Nation. It provides 40 percent of the total military force for around 4.5 percent of the budget. In other words, the Guard provides tremendous bang for the buck.

There is no doubt today we are asking more from the men and women of the National Guard than ever before, often at great cost to their families and their own lives.

I think this means we have a heavy responsibility to support our citizen soldiers and airmen in their unique dual mission of developing military support abroad and providing homeland defense stateside.

While serving abroad, National Guard troops serve under Air Force and Army Commands in what is known as title 10 status, which refers to the section in the U.S. Code dealing with the military. But when the Guard operates at home, they serve under the command and control of the Nation's Governors in title 32 status.

I had the honor of serving as commander in chief of the Missouri National Guard for 8 years. I can tell you that Missouri has a wide range of natural and sometimes human disasters ranging from tornadoes and floods to blizzards and ice storms. I called out the Guard for every single one of those and several more I probably cannot even remember: threatened prison insurrections, other civil disobedience, to tracking down escapees from prison. Right after Katrina—I think it was about a year after Katrina—I visited Jefferson Barracks, MO, where one of our National Guard engineer units is stationed.

They told me proudly that when Katrina hit, they immediately sent one of their National Guard battalions to Katrina. They had all the equipment, the high-wheeled vehicles, the communications equipment. They did such a wonderful job, the adjutant general of Louisiana called and said: You have two more battalions; send us another one. They said: That is where the problem comes in. We only have equipment for one out of three battalions. The Guard was one-third resourced. We could have sent them down there in tennis shoes and a taxicab, but they needed the equipment that an engineer battalion has to deal with the problems of the aftermath of the floods and the hurricane. I think there is a lot more we can do to make this unique arrangement work more smoothly. The Guard will continue to play a critical role in response to another natural disaster or, heaven forbid, terrorist attack. To the men and women of the National Guard, we say: Thank you for that support.

But more needs to be done. The amendment we are introducing today to strengthen the Guard consists of two planks which are designed, first, to increase the Guard's voice inside the Pentagon and, second, to clarify how the Federal military support to civil authorities will occur here at home.

We would give the Chief of the National Guard more muscle in the Pentagon, providing a seat for him on the Joint Chiefs of Staff. With 40 percent of the force, one would think that big a portion of our total military capability would deserve to sit with the outstanding leaders of the Army, the Air Force, the Marines, and others who are there. One would think this large a segment of our force would be represented. When we have big decisions on the future of our resource allocation for the military—title X and, in this case, also title XXXII—they ought to be at the table.

Last year—I thank my colleagues—we successfully authorized the promotion of the Chief of the National Guard to the rank of four-star general in last year's empowerment legislation. Additionally, this year's empowerment amendment will make certain that the Chief of the National Guard Bureau has a Vice Chief in the grade of lieutenant general. When you are dealing with that many problems, there is a major operation that needs to be handled by a deputy to the four-star Chief of the National Guard. It is critical to the day-to-day operations of the National Guard Bureau and to ensure the Guard is adequately represented inside the Pentagon.

This amendment will also fill the gaps between civilian and military emergency response capabilities. We would give the National Guard Bureau, in consultation with the States' adjutant generals, budgetary power to identify, validate, and procure equipment essential to their unique domestic missions so they will be better prepared to respond to emergencies here at home. The next time they call for a second engineer battalion, I hope we have the equipment to send one to whatever State or maybe our own State where they are needed.

The amendment also supports the designation of National Guard general officers as commanders of Army North and Air Force North commands. This will ensure unity of effort and of command between the National Guard in the 54 States and territories and the very important U.S. North command which protects the United States in the continental United States.

Finally, our amendment gives State Governors tactical control of Federal troops responding to emergencies inside their State or territory. Time and time again, we have seen Reserve units stationed within close proximity to a natural or manmade disaster forced to stand by and watch when they could have been assisting injured victims in preventing loss of property. This amendment ensures that all available military forces be utilized as early as possible in an emergency situation. This way, our State leaders can act more quickly and decisively to mitigate disasters at home. Our citizen soldiers stand ready to defend the Nation, secure our homeland from natural disasters and terrorist attacks, and are now fighting overseas in the war on terror. Neither the homeland response nor the Federal military support missions of the Guard are likely to diminish in importance at any time in the foreseeable future. In fact, the need for the National Guard is greater now than ever before. Now more than ever, as budgets are constrained and entitlements continue to grow at alarming rates, we should not be looking to reduce the Guard but, rather, fully to man and equip it.

We have a responsibility to give the Guard the equipment, resources, and bureaucratic muscle they need to meet their critical dual mission. In order to do so, it is imperative we strengthen the decisionmaking capability of Guard leaders within the Department of Defense and make sure they are at the table.

As one former leader of the Guard said: If you want us in on the big plays, at least let us in the huddle when you are planning to call those plays. That is what this amendment does.

I thank my colleagues for their past support of the Guard. I join with Senator LEAHY in asking for continued support of the National Guard by voting for this amendment.

I yield the floor.

AMENDMENT NO. 1597

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I ask unanimous consent to set aside the pending Thune amendment and call up my amendment No. 1597.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK], for himself, Mr. BAYH, Mr. KYL, and Mr. INHOFE, proposes an amendment numbered 1597.

Mr. BROWNBACK. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Purpose: To express the sense of the Senate that the Secretary of State should redesignate North Korea as a state sponsor of terrorism)

At the end of subtitle C of title XII, add the following:

SEC. 1232. SENSE OF THE SENATE ON REDESIGNATION OF NORTH KOREA AS A STATE SPONSOR OF TERRORISM.

(a) FINDINGS.—The Senate makes the following findings:

(1) On October 11, 2008, the Department of State removed North Korea from its list of state sponsors of terrorism, on which it had been placed in 1988.

(2) North Korea was removed from that list despite its refusal to account fully for its abduction of foreign citizens, proliferation of nuclear and other dangerous technologies and weapon systems to terrorist groups and other state sponsors of terrorism, or its commission of other past acts of terrorism.

(3) On March 17, 2009, American journalists Euna Lee and Laura Ling were seized near the Chinese-North Korean border by agents of the North Korean government and were subsequently sentenced to 12 years of hard labor in a prison camp in North Korea.

(4) On April 5, 2009, the Government of North Korea tested a long-range ballistic missile in violation of United Nations Security Council Resolutions 1695 and 1718.

(5) On April 15, 2009, the Government of North Korea announced it was expelling international inspectors from, and recommissioning, its Yongbyon nuclear facility and ending its participation in disarmament talks.

(6) Those actions were in violation of the June 26, 2008, announcement by the President of the United States that the removal of North Korea from the list of state sponsors of terrorism was dependent on the Government of North Korea agreeing to a system to verify its declarations with respect to its nuclear programs.

(7) On May 25, 2009, the Government of North Korea conducted a second illegal nuclear test, in addition to conducting tests of its ballistic missile systems launched in the direction of the western United States.

(8) North Korea has failed to acknowledge or account for its role in building and supplying the secret nuclear facility at Al Kibar, Syria, has failed to account for all remaining citizens of Japan abducted by North Korea, and, according to recent reports, continues to engage in close cooperation with the terrorist Iranian Revolutionary Guard Corps on ballistic missile technology.

(9) There have been recent credible reports that North Korea has provided support to the terrorist group Hezbollah, including by providing ballistic missile components and personnel to train members of Hezbollah with respect to the development of extensive underground military facilities in southern Lebanon, including tunnels and bunkers.

(10) The 2005 and 2006 Country Reports on Terrorism of the Department of State state, with respect to Cuba, Iran, North Korea, and Syria, ''Most worrisome is that some of these countries also have the capability to manufacture WMD and other destabilizing technologies that can get into the hands of terrorists. The United States will continue to insist that these countries end the support they give to terrorist groups.''.

(11) President Barack Obama stated that actions of the Government of North Korea ''are a matter of grave concern to all nations. North Korea's attempts to develop nuclear weapons, as well as its ballistic missile program, constitute a threat to international peace and security. By acting in blatant defiance of the United Nations Security Council, North Korea is directly and recklessly challenging the international community. North Korea's behavior increases tensions and undermines stability in Northeast Asia. Such provocations will only serve to deepen North Korea's isolation. It will not find international acceptance unless it abandons its pursuit of weapons of mass destruction and their means of delivery.''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of State should designate North Korea as a country that has repeatedly provided support for acts of international terrorism for purposes of—

(1) section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));

(2) section 40 of the Arms Export Control Act (22 U.S.C. 2780); and

(3) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

Mr. BROWNBACK. Mr. President, this is a bipartisan amendment put forward by Senator BAYH and myself. I ask unanimous consent that Senators KYL and INHOFE be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. This is a bipartisan resolution and sense of the Senate that the administration should relist North Korea as a state sponsor of terrorism. As my colleagues know, the Bush administration, through a great deal of hoopla, listed North Korea as a state sponsor of terrorism. They took them off the list in spite of such terrible and erratic behavior as nuclear weapons, missile technology, and now taking U.S. citizens hostage and holding them. Nonetheless, the Bush administration, as part of the six-party talks, did an agreement, a deal to delist them as a state sponsor of terrorism. All that got us was more nuclear weapons, more missiles being sent off, more provocative action by the North Koreans, and a dismal situation.

What we are asking with the amendment is that it is a sense of the Senate that North Korea should be relisted as a state sponsor of terrorism.

In that regard, I wish to enter a few items in the RECORD to be printed at the end of my presentation that are currently in the news. This is yesterday's front page of the Washington Post where it talks about ''[North] Korea's Hard-Labor Camps: On the Diplomatic Back Burner.''

I ask unanimous consent that this full article be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BROWNBACK. That is an old story. Unfortunately, we know very well about the gulags that exist in North Korea and the 200,000 people we believe are in those. Here is today's Washington Post. This was new information I found shocking: North Korea building mysterious military ties with the military junta in Burma now taking place and the possibility of them giving military equipment and supplies, I suppose possibly even nuclear arms and missile technology, to the military government in Burma.

I ask unanimous consent that this be printed in the RECORD at the end of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. BROWNBACK. If that is not enough to relist them as a state sponsor of terrorism, I don't know what is. But there is a full record we can go forward with on relisting North Korea as a state sponsor of terrorism. At the outset, I think we ought to look at this and say this is an extremely tough situation for the United States. It is one on which we need to take aggressive action to confront them on what they are doing to militarize some of the worst places and worst actors around the world and what North Korea is doing to threaten interests of the United States.

All this is taking place while Kim Jong Il is ill. To what degree, we don't know for sure. A succession is being discussed. Of what nature, we are not sure. But clearly North Korea is doing the most provocative things they have probably done in the history of that provocative nation. It is taking place right now. We should notice it and recognize these are terrorist actions. We should clearly call for them to be relisted.

I have, many times, spoken before regarding the long and outrageous list of crimes of the Kim regime. I will not go through those again at great length. But I will say the crimes committed by the North Korean regime include not only those external and diplomatic of nature—violating agreements, treaties, conventions, and proliferating dangerous technologies to the world's worst actors—but the regime has also committed massive and unspeakable crimes against the North Korean people themselves who for decades have been beaten, tortured, raped, trafficked, starved, used as medical experiments, subjected to collective familial punishment, and executed in the most brutal and painful ways. If you want further details on that, read yesterday's Washington Post article.

Hundreds of thousands languish in the gulag and concentration camps spread out over the entire country. All the while, the world watches and wrings its collective hands. As we pledged never again, we watch as yet again another criminal regime commits a genocide. Never again becomes yet again.

I have introduced legislation to address these issues. I hope the Foreign Relations Committee can find time to take it up.

The amendment before us today deals with another aspect of the North Korean criminal state, its longstanding and robust sponsorship of international terrorism. The amendment would place the Senate on record as standing for the proposition that North Korea's hostile and provocative actions will not be ignored. Indeed, they will have meaningful consequences under the law. This amendment, of which Senator BAYH is the lead cosponsor, expresses the sense of the Senate that the Secretary of State should redesignate North Korea as a state sponsor of terrorism based on its nuclear and missile

proliferation, abductions, and material support for terrorist groups.

On October 11, 2008, the State Department removed North Korea from the list of state sponsors of terrorism on which it had been placed since 1988. At the time, this is what President Bush said to the North Korean regime upon announcing that North Korea would be removed. He said:

> We will trust you only to the extent that you fulfill your promises. If North Korea makes the wrong choices, the United States will act accordingly.

They have made the wrong choices. We should act accordingly.

At the same time, then Candidate Obama said:

> Sanctions are a critical part of our leverage to pressure North Korea to act. They should only be lifted based on North Korean performance. If the North Koreans do not meet their obligations, we should move quickly to reimpose sanctions that have been waived and consider new restrictions going forward.

They have not lived up to their obligations. They have continued provocative actions. They should be relisted.

Let's examine how well the North Korean regime has lived up to its commitment since being removed from the list. Since removal last October, the North Korean regime has done the following: launched a multistage ballistic missile over Japan in violation of U.N. Security Council sanctions; kidnapped and imprisoned two American journalists and sentenced them to 12 years of hard labor in a North Korean prison camp; pulled out of the six-party talks vowing never to return; kicked out international nuclear inspectors and American monitors; restarted its nuclear facilities; renounced the 50-year armistice with South Korea; detonated a second illegal nuclear weapon; launched additional short-range missiles; is preparing to launch long-range missiles capable of reaching the United States; and today news accounts are reporting about North Korean proliferation to the Burmese junta, including perhaps nuclear proliferation.

Add to this a long history of other ongoing illicit operations that finance the North Korean regime's budget, including the following: extensive drug smuggling; massive and complex operations to counterfeit U.S. currency, many of which are believed to be in wide circulation; money laundering; terrorist threats by the regime against the United States, Japanese, and South Korean civilians. That is what this regime and group has done and is doing. That is some of what they have done since they were delisted from the terrorist list.

What have we done in response? The U.N. Security Council has passed another sanctions resolution similar to the same resolution North Korea has brazenly violated to get us to this point. In 2006, the State Department, in its terrorism report, said this about keeping North Korea on the list: North Korea ''continued to maintain their ties to terrorist groups.''

They said:

> Most worrisome is that some of these countries [including North Korea] also have the capability to manufacture [weapons of mass destruction] and other destabilizing technologies that can get into the hands of terrorists.

If that was the justification for the terror list in 2006, certainly North Korea's actions today fit that standard—perhaps even more so than back then, and I believe it is more so.

We cannot have it both ways. If we removed North Korea from the terrorism list last year as a reward for its dubious cooperation on nuclear weapons, we would only be reversing that step by adding it back after the regime betrayed its commitments and followed up with hostile and provocative actions.

I would also like to address this issue: It often has been raised with me—and the Secretary of State herself has raised this indirectly with me—that the multiple statutes that control the list of state sponsors of terrorism do not provide the legal ability for the Secretary of State to redesignate. I think this argument is flawed, and I would like to summarize that by reading the relevant portions of each of these acts, because here is the key point on it, that they are saying: Well, we have to find factual basis that is different from the first round for us to do that. We are going through a legal review of doing this. But here the state sponsor of terrorism list is controlled under two different acts: the Arms Export Control Act and the Foreign Assistance Act.

As to countries covered by the prohibition, it says this. This is quoting from the Arms Export Control Act:

> The prohibitions contained in this section apply with respect to a country if the Secretary of State determines that the government of that country has repeatedly provided support for acts of international terrorism.

That is what it says in the Arms Export Control Act. The list I have just read goes through what has taken place, and they are clearly and repeatedly providing support for acts of international terrorism. It does not say anything about they cannot be relisted or we have to go through some elaborate finding process, that it cannot be based on actions they have done. These are the actions they have done in the last 6 months that are of public record. And it says the Secretary of State makes this determination and has fairly wide discretion to be able to do it.

Under section 628 of the Foreign Assistance Act, it says: The United States shall not provide any assistance to any country if the Secretary of State determines that the government of that country has repeatedly provided support for acts of international terrorism.

Again, the statute is very broad in its statement. It does not say anything about they cannot relist them. It says they can do this on the discretion of the Secretary of State.

I do not know why we need to wait any longer, with the actions this government has taken and even with these most recent ones reported today of working with Burma or of the publicly done ones we know about of nuclear weapons detonation or the ones of missile technology being launched. Why do we need to wait longer?

I recognize this is a sense of the Senate, so it is just a sense of this body. But this body has had a strong impact in prior actions when we took a sense-of-the-Senate resolution to list the Revolutionary Guard in Iran, that we believed they should be listed as a state sponsor of terrorism. The administration acted not long after that to list them as a state sponsor of terrorism.

I believe if this body took strong action here now and said we believe North Korea should be relisted as a state sponsor of terrorism, it would send a very strong and proper signal to the administration—not that we are doing your job, but we believe this is the case and this is something that is meritorious toward North Korea and its actions.

That is why I urge my colleagues to support the bipartisan Bayh-Brownback amendment and vote for this amendment to the Defense authorization bill.

Mr. President, with that, I yield the floor.

EXHIBIT 1

[From the Washington Post, July 20, 2009]

N. KOREA'S HARD-LABOR CAMPS: ON THE DIPLOMATIC BACK BURNER

(By Blaine Harden)

SEOUL.—Images and accounts of the North Korean gulag become sharper, more harrowing and more accessible with each passing year.

A distillation of testimony from survivors and former guards, newly published by the Korean Bar Association, details the daily lives of 200,000 political prisoners estimated to be in the camps: Eating a diet of mostly corn and salt, they lose their teeth, their gums turn black, their bones weaken and, as they age, they hunch over at the waist. Most work 12- to 15-hour days until they die of malnutrition-related illnesses, usually around the age of 50. Allowed just one set of clothes, they live and die in rags, without soap, socks, underclothes or sanitary napkins.

The camps have never been visited by outsiders, so these accounts cannot be independently verified. But high-resolution satellite photographs, now accessible to anyone with an Internet connection, reveal vast labor camps in the mountains of North Korea. The photographs corroborate survivors' stories, showing entrances to mines where former prisoners said they worked as slaves, in-camp detention centers where former guards said uncooperative prisoners were tortured to death and parade grounds where former prisoners said they were forced to watch executions. Guard towers and electrified fences surround the camps, photographs show.

''We have this system of slavery right under our nose,'' said An Myeong Chul, a camp guard who defected to South Korea. ''Human rights groups can't stop it. South Korea can't stop it. The United States will have to take up this issue at the negotiating table.''

But the camps have not been discussed in meetings between U.S. diplomats and North Korean officials. By exploding nuclear bombs, launching missiles and cultivating a reputation for hair-trigger belligerence, the government of Kim Jong Il has created a permanent security flash point on the Korean Peninsula—and effectively shoved the issue of human rights off the negotiating table.

''Talking to them about the camps is something that has not been possible,'' said David Straub, a senior official in the State Department's office of Korean affairs during the Bush and Clinton years. There have been no such meetings since President Obama took office.

''They go nuts when you talk about it,'' said Straub, who is now associate director of Korean studies at Stanford University.

Nor have the camps become much of an issue for the American public, even though annotated images of them can be quickly called up on Google Earth and even though they have existed for half a century, 12 times as long as the Nazi concentration camps and twice as long as the Soviet Gulag. Although precise numbers are impossible to obtain, Western governments and human groups estimate that hundreds of thousands of people have died in the North Korean camps.

North Korea officially says the camps do not exist. It restricts movements of the few foreigners it allows into the country and severely punishes those who sneak in. U.S. reporters Laura Ling and Euna Lee were sentenced last month to 12 years of hard labor, after being convicted in a closed trial on charges of entering the country illegally.

North Korea's gulag also lacks the bright light of celebrity attention. No high-profile, internationally recognized figure has emerged to coax Americans into understanding or investing emotionally in the issue, said Suzanne Scholte, a Washington-based activist who brings camp survivors to the United States for speeches and marches.

''Tibetans have the Dalai Lama and Richard Gere, Burmese have Aung San Suu Kyi, Darfurians have Mia Farrow and George Clooney,'' she said. ''North Koreans have no one like that.''

EXECUTIONS AS LESSONS

Before guards shoot prisoners who have tried to escape, they turn each execution into a teachable moment, according to interviews with five North Koreans who said they have witnessed such killings.

Prisoners older than 16 are required to attend, and they are forced to stand as close as 15 feet to the condemned, according to the interviews. A prison official usually gives a lecture, explaining how the Dear Leader, as Kim Jong Il is known, had offered a ''chance at redemption'' through hard labor.

The condemned are hooded, and their mouths are stuffed with pebbles. Three guards fire three times each, as onlookers see blood spray and bodies crumple, those interviewed said.

''We almost experience the executions ourselves,'' said Jung Gwang Il, 47, adding that he witnessed two executions as an inmate at Camp 15. After three years there, Jung said, he was allowed to leave in 2003. He fled to China and now lives in Seoul.

Like several former prisoners, Jung said the most arduous part of his imprisonment was his pre-camp interrogation at the hands of the Bowibu, the National Security Agency. After eight years in a government office that handled trade with China, a fellow worker accused him of being a South Korean agent.

''They wanted me to admit to being a spy,'' Jung said. ''They knocked out my front teeth with a baseball bat. They fractured my skull a couple of times. I was not a spy, but I admitted to being a spy after nine months of torture.''

When he was arrested, Jung said, he weighed 167 pounds. When his interrogation was finished, he said, he weighed 80 pounds. ''When I finally got to the camp, I actually gained weight,'' said Jung, who worked summers in cornfields and spent winters in the mountains felling trees.

''Most people die of malnutrition, accidents at work, and during interrogation,'' said Jung, who has become a human rights advocate in Seoul. ''It is people with perseverance who survive. The ones who think about food all the time go crazy. I worked hard, so guards selected me to be a leader in my barracks. Then I didn't have to expend so much energy, and I could get by on corn.''

DEFECTORS' ACCOUNTS

Human rights groups, lawyers committees and South Korean-funded think tanks have detailed what goes on in the camps based on in-depth interviews with survivors and former guards who trickle out of North Korea into China and find their way to South Korea.

The motives and credibility of North Korean defectors in the South are not without question. They are desperate to make a living. Many refuse to talk unless they are paid. South Korean psychologists who debrief defectors describe them as angry, distrustful and confused. But in hundreds of separate interviews conducted over two decades, defectors have told similar stories that paint a consistent portrait of life, work, torment and death in the camps.

The number of camps has been consolidated from 14 to about five large sites, according to former officials who worked in the camps. Camp 22, near the Chinese border, is 31 miles long and 25 miles wide, an area larger than the city of Los Angeles. As many as 50,000 prisoners are held there, a former guard said.

There is a broad consensus among researchers about how the camps are run: Most North Koreans are sent there without any judicial process. Many inmates die in the camps unaware of the charges against them. Guilt by association is legal under North Korean law, and up to three generations of a wrongdoer's family are sometimes imprisoned, following a rule from North Korea's founding dictator, Kim Il Sung: ''Enemies of class, whoever they are, their seed must be eliminated through three generations.''

Crimes that warrant punishment in political prison camps include real or suspected opposition to the government. ''The camp system in its entirety can be perceived as a massive and elaborate system of persecution on political grounds,'' writes human rights investigator David Hawk, who has studied the camps extensively. Common criminals serve time elsewhere.

Prisoners are denied any contact with the outside world, according to the Korean Bar Association's 2008 white paper on human rights in North Korea. The report also found that suicide is punished with longer prison terms for surviving relatives; guards can beat, rape and kill prisoners with impunity; when female prisoners become pregnant without permission, their babies are killed.

Most of the political camps are ''complete control districts,'' which means that inmates work there until death.

There is, however, a ''revolutionizing district'' at Camp 15, where prisoners can receive remedial indoctrination in socialism. After several years, if they memorize the writings of Kim Jong Il, they are released but remain monitored by security officials.

SOUTH'S CHANGING RESPONSE

Since it offers a safe haven to defectors, South Korea is home to scores of camp survivors. All of them have been debriefed by the South Korean intelligence service, which presumably knows more about the camps than any agency outside of Pyongyang.

But for nearly a decade, despite revelations in scholarly reports, TV documentaries and memoirs, South Korea avoided public criticism of the North's gulag. It abstained from voting on U.N. resolutions that criticized North Korea's record on human rights and did not mention the camps during leadership summits in 2000 or 2007. Meanwhile, under a ''sunshine policy'' of peaceful engagement, South Korea made major economic investments in the North and gave huge, unconditional annual gifts of food and fertilizer.

The public, too, has been largely silent. ''South Koreans, who publicly cherish the virtue of brotherly love, have been inexplicably stuck in a deep quagmire of indifference,'' according to the Korean Bar Association, which says it publishes reports on human rights in North Korea to ''break the stalemate.''

Government policy changed last year under President Lee Myung-bak, who has halted unconditional aid, backed U.N. resolutions that criticize the North and tried to put human rights on the table in dealing with Pyongyang. In response, North Korea has called Lee a ''traitor,'' squeezed inter-Korean trade and threatened war.

AN ENFORCER'S VIEW

An Myeong Chul was allowed to work as a guard and driver in political prison camps because, he said, he came from a trustworthy family. His father was a North Korean intelligence agent, as were the parents of many of his fellow guards.

In his training to work in the camps, An said, he was ordered, under penalty of becoming a prisoner himself, never to show pity. It was permissible, he said, for bored guards to beat or kill prisoners.

''We were taught to look at inmates as pigs,'' said An, 41, adding that he worked in the camps for seven years before escaping to China in 1994. He now works in a bank in Seoul.

The rules he enforced were simple. ''If you do not meet your work quota, you do not eat much,'' he said. ''You are not allowed to sleep until you finish your work. If you still do not finish your work, you are sent to a little prison inside the camp. After three months, you leave that prison dead.''

An said the camps play a crucial role in the maintenance of totalitarian rule. ''All high-ranking officials underneath Kim Jong Il know that one misstep means you go to the camps, along with your family,'' he said.

Partly to assuage his guilt, An has become an activist and has been talking about the camps for more than a decade. He was among the first to help investigators identify camp buildings using satellite images. Still, he said, nothing will change in camp operations without sustained diplomatic pressure, especially from the United States.

INCONSISTENT U.S. APPROACH

The U.S. government has been a fickle advocate.

In the Clinton years, high-level diplomatic contacts between Washington and Pyongyang focused almost exclusively on preventing the North from developing nuclear weapons and expanding its ballistic missile capability.

President George W. Bush's administration took a radically different approach. It famously labeled North Korea as part of an ''axis of evil,'' along with Iran and Iraq. Bush met with camp survivors. For five years, U.S. diplomats refused to have direct negotiations with North Korea.

After North Korea detonated a nuclear device in 2006, the Bush administration decided

to talk. The negotiations, however, focused exclusively on dismantling Pyongyang's expanded nuclear program.

In recent months, North Korea has reneged on its promise to abandon nuclear weapons, kicked out U.N. weapons inspectors, exploded a second nuclear device and created a major security crisis in Northeast Asia.

Containing that crisis has monopolized the Obama administration's dealings with North Korea. The camps, for the time being, are a non-issue. ''Unfortunately, until we get a handle on the security threat, we can't afford to deal with human rights,'' said Peter Beck, a former executive director of the U.S. Committee for Human Rights in North Korea.

A FAMILY'S TRIBULATIONS

Kim Young Soon, once a dancer in Pyongyang, said she spent eight years in Camp 15 during the 1970s. Under the guilt-by-association rule, she said, her four children and her parents were also sentenced to hard labor there.

At the camp, she said, her parents starved to death and her eldest son drowned. Around the time of her arrest, her husband was shot for trying to flee the country, as was her youngest son after his release from the camp.

It was not until 1989, more than a decade after her release, that she found out why she had been imprisoned. A security official told her then that she was punished because she had been a friend of Kim Jong Il's first wife and that she would ''never be forgiven again'' if the state suspected that she had gossiped about the Dear Leader.

She escaped to China in 2000 and now lives in Seoul. At 73, she said she is furious that the outside world doesn't take more interest in the camps. ''I had a friend who loved Kim Jong Il, and for that the government killed my family,'' she said. ''How can it be justified?''

EXHIBIT 2

[From the Washington Post, July 21, 2009]

CLINTON: U.S. WARY OF GROWING BURMESE, NORTH KOREAN MILITARY COOPERATION

(By Glenn Kessler)

BANGKOK, July 21—The Obama administration is increasingly concerned that nuclear-armed North Korea is building mysterious military ties with Burma, another opaque country with a history of oppression, Secretary of State Hillary Rodham Clinton said Tuesday.

''We know that there are also growing concerns about military cooperation between North Korea and Burma, which we take seriously'' Clinton told reporters after talks in the Thai capital. ''It would be destabilizing for the region. It would pose a direct threat to Burma's neighbors.''

U.S. officials traveling with Clinton, who is in Thailand to attend a regional security forum, said the concerns about Burma and North Korea extend to possible nuclear cooperation. North Korea has a long history of illicit missile sales and proliferation, including secretly helping to build a Syrian nuclear reactor that was destroyed in 2007 by Israeli jets.

''This is one of the areas we'd like to know about,'' said one official. ''We have concerns, but our information is incomplete.''

Burma, also known as Myanmar, is regarded as one of the world's most oppressive nations, run by generals who have enriched themselves while much of the country remains desperately poor. North Korea is an equally grim country, with vast prison camps and an ailing dictator, Kim Jong Il.

The evidence of growing Burmese-North Korean cooperation since formal ties were restored in 2007 is extensive, but the full extent of the military relationship is unclear.

The nuclear connection is even murkier, but intelligence agencies have tracked suspicious procurement of high-precision equipment from Europe, as well as the arrival in Burma of North Korean officials associated with the company connected to the Syria reactor, according to David Albright, director of the Institute for Science and International Security in Washington.

''Something may be going on, but no one has any proof. It is a mix of suspicions and concerns,'' Albright said, adding that close examination of satellite imagery of suspected nuclear sites has turned up no evidence. But he said that the purchases of high-precision equipment were especially troubling because the equipment did not make sense for use in missiles and it was shipped to educational entities that had connections to Burmese nuclear experts.

Japanese officials last month also arrested three people for attempting to illegally export dual-use equipment to Burma, via Malaysia, under the direction of a company involved in the illicit procurement for North Korean military programs.

Moreover, Albright said, European and U.S. intelligence agencies have identified people associated with Namchongang Trading Corp., a North Korean company also known as NCG, as working in Burma. NCG reportedly provided the critical link between Pyongyang and Damascus, acquiring key materials from vendors in China and probably from Europe and secretly transferring them to a desert construction site near the Syrian town of Kibar.

The State Department last month cited NCG for being ''involved in the purchase of aluminum tubes and other equipment specifically suitable for a uranium enrichment program since the late 1990s.''

U.S. officials have observed other troubling connections. The U.S. Navy last month closely tracked Kang Nam 1, a rusty North Korean freighter, after the government in Pyongyang tested a nuclear weapon. Although U.S. officials were never completely certain the ship was headed to Burma, the ship returned to North Korea after the United States, China and other countries put pressure on Burma to respect a United Nations resolution barring most North Korean weapons exports.

Photographs that have emerged in recent weeks also show an extensive series of 600 to 800 tunnel complexes and other underground facilities built in Burma with North Korean technical assistance near its new capital, Naypyidaw. North Korean officials can be spotted in the photos, which were taken between 2003 and 2006 and posted on the Web site of YaleGlobal Online by journalist Bertil Lintner, an expert on Burma.

Burma has uranium deposits, but as a signatory to the nuclear Non-Proliferation Treaty, it is required to allow inspections of any nuclear facilities. Russia in 2007 agreed to help build a 10-megawatt light-water reactor in Burma, but little appears to have come of the project.

At the news conference, Clinton also strongly criticized the Burmese government for its well-documented use of gang rape as a military tactic, organized by Burmese officers, against ethnic minorities. A new offensive against the Karen ethnic group has sent more than 4,000 refugees fleeing across the border into Thailand in recent weeks.

''We are deeply concerned by reports of continuing human rights abuses within Burma, particularly by actions that are attributed to the Burmese military concerning the mistreatment and abuse of young girls,'' Clinton said.

The Obama administration is conducting a review of its Burma policy, which Clinton said has been placed on hold while Washington awaits the outcome of the trial of Nobel Peace Prize laureate Aung San Suu Kyi.

''We have made clear we expect fair treatment of Aung San Suu Kyi, and we have condemned the way that she has been treated by the regime in Burma, which we consider to be baseless and totally unacceptable,'' Clinton said.

The National League for Democracy, Suu Kyi's party, won a landslide electoral victory in 1990, but the military leadership refused to accept it. Since then, she has been under house arrest for most of the time, as have hundreds of her supporters.

In May, just days before Suu Kyi's six-year term under house arrest was due to expire, the government put her on trial for an incident involving a U.S. citizen who swam across Rangoon's Lake Inya to reach Suu Kyi's lakefront bungalow and allegedly stayed there one or two nights.

Suu Kyi was taken to Rangoon's notorious Insein Prison on charges of violating the terms of her detention by hosting a foreigner, which could bring a three- to five-year prison term, according to Burmese opposition officials. Suu Kyi, 63, is said to be in poor health and has recently been treated for dehydration and low blood pressure.

''Our position is that we are willing to have a more productive partnership with Burma if they take steps that are self-evident,'' Clinton said. She called on Burmese authorities to ''end the violence against their own people,'' including ethnic minorities, ''end the mistreatment of Aung San Suu Kyi'' and release political prisoners.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, the chairman of the Foreign Relations Committee, Senator KERRY, is prepared to comment and speak. I ask unanimous consent that at the conclusion of his remarks, the Senator from Delaware be recognized as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, obviously North Korea's actions in recent weeks—months, really; testing a nuclear device on May 25 and launching ballistic missiles on July 4—received the appropriate objection in many different ways of China, Japan, South Korea, the United States, and many other countries. Clearly, those actions threaten to undermine the peace and security of northeast Asia, and the U.S. response to those actions ought to be and, I believe, is already resolute. China responded very clearly. The sanctions have been toughened—individual sanctions for the first time. A number of steps were taken by both the United Nations and China. China, incidentally, has been unprecedented in the personalization of some of the sanctions that it has put into place.

I know the Senator from Kansas cares, obviously, enormously about the underlying issue here. But I have to say this amendment, while well intended, simply does not do what it is supposed to do. It has no impact other than the sense of the Senate: sending a message which at this particular moment, frankly, works counterproductively to other efforts that are underway.

Right now, the Secretary of State is meeting at ASEAN. Right now, the various countries involved in this delicate process are working to determine how to proceed forward with respect to getting back to talks and defusing these tensions. For the Senate just to pop on an amendment like this at this moment in time not only sends a signal that complicates that process, but I think it also, frankly, will make it more difficult to secure the return of two American journalists, Laura Ling and Euna Lee.

It simply is an inappropriate interference without a foundation, I might add—without a foundation—in the law. Let me be very specific. When President Bush lifted the designation of terrorism—in fact, nothing that the Senator from Kansas has laid out here actually is supported either by the intelligence or by the facts. I could go through his amendment with specificity. Let me give an example. This is from the findings in his amendment:

> On March 17, 2009, American journalists . . . were seized near the Chinese-North Korean border by agents. . . .

He is citing that as a rationale for putting them back on the list. Well, the fact is, the families themselves, as well as the two journalists—but the families—have acknowledged that they, in fact, were arrested for illegally crossing the border. So that is inappropriate. But not only is it inappropriate to cite a fact that is not a fact, but it is not a cause for putting somebody on the terrorism list.

Nowhere do any of the actions cited here fit into the statutes that apply to whether somebody is designated as appropriately being on the terrorism list. Let me be more specific about that. When President Bush took them off the list, here is what they said. This is the President's certification:

> The current intelligence assessment satisfies the second statutory requirement for rescission. Following a review of all available information, we see no credible evidence at this time of ongoing support by the DPRK for international terrorism, and we assess that the current intelligence assessment, including the most recent assessment published May 21, 2008, provides a sufficient basis for certification by the President to Congress that North Korea has not provided any support for international terrorism during the preceding 6-month period.

There is no intelligence showing to the contrary, as we come to the floor here today, and it is inappropriate for the Senate simply to step in and assert to the contrary.

Moreover, the President said:

> Our review of intelligence community assessments indicates there is no credible or sustained reporting at this time that supports allegations (including as cited in recent reports by the Congressional Research Service) that the DPRK has provided direct or witting support for Hezbollah, Tamil Tigers, or the Iranian Revolutionary Guard. Should we obtain credible evidence of current DPRK support for international terrorism at any time in the future, the Secretary could again designate DPRK a state sponsor of terrorism.

Well, we have not. It simply does not fit under the requirements.

We need to use the right tools. This amendment is flawed and I am convinced could actually undermine what I know is going on right now in terms of efforts by a number of different parties to try to move this process forward. This is not the way a responsible Senate ought to go about trying to deal with an issue with this kind of diplomatic consequence.

The relisting, incidentally, has no practical effect in terms of anything it would do with respect to our current policy other than raise the issue with respect to the Senate at this moment but, as I say, inappropriately with respect to the statutes it concerns.

President Bush actually preserved all the existing financial sanctions on North Korea at the time he lifted the terror designation, and he kept them all in place by using other provisions of law.

The fact is, this administration has, in fact, responded in order to put real costs on North Korea for its actions. We led the international effort at the United Nations Security Council, and we did enact sweeping new sanctions on North Korea, and by all accounts they are biting.

The U.N. Security Council resolution 1874, passed unanimously, imposed the first ever comprehensive international arms embargo on North Korea. Those sanctions are now beginning to take effect. A North Korean ship suspected of carrying arms to Burma turned around after it was denied bunkering services in Singapore, and the Government of Burma itself warned that the ship would be inspected on arrival to ensure that it complied with the U.N. arms embargo. So that is real. That is happening. Significantly, China has agreed to impose sanctions both on North Korean companies and individuals involved in nuclear and ballistic missile proliferation.

So the sanctions that were recently imposed by the Obama administration, in concert with the international community, are having a real impact. So I think we ought to give them time to work. I do not think we ought to come in here and change the dynamics that, as I say, I know are currently being worked on by the Secretary of State. As we are here in the Senate today, those meetings are taking place. It is better for the United States and the international community to focus our efforts on concrete steps rather than resort to a toothless and symbolic gesture. This will have no impact ultimately because we are still going to go down our course, but it can ripple the process which the administration has chosen to pursue.

I might also point out, the President and Secretary of State have been closely communicating with allies and with partners in the region. They are currently involved in discussions with China, Russia, South Korea, and Japan on this issue. Even as we debate the issue here, the effort at the ASEAN Forum is specifically geared to try to coordinate our approach with our treaty allies and with others. We ought to give the administration the opportunity to succeed.

Third, obviously all of us reject the recent actions taken by North Korea. There is no doubt about that. But it was not so long ago that we were actually making some progress on the denuclearization effort. And observers of the region—those who are expert and who follow it closely—are all in agreement as to the rationale which has driven North Korea to take some of the actions it has taken.

I was in China about a month and a half ago. I spent some time with Chinese leaders on this issue because one of the tests took place while I was there and I saw the Chinese reaction up close and personal. I saw the degree to which they were truly upset by it, disturbed by it, and took actions to deal with it. The fact is that they explained it, as have others, as a reaction by North Korea to perhaps three things: No. 1, the succession issues in North Korea itself; No. 2, the policies of the South Korean Government over the course of the last year or so; and No. 3, the fact that while they had nuclear weapons and had been engaged in a denuclearization discussion with the United States, most of the focus appeared to have shifted to Iran, and there was some sense that the focus should have remained where those nuclear weapons currently exist.

So I believe we need to preserve diplomatic flexibility in the weeks and months ahead. There is an appropriate time for the administration to come to us. There is an appropriate way for us to deal with this issue, to sit down with the administration, to make it clear to them that we think we ought to do this, to talk with them about it, to engage in what the rationale might be under the law. But as I say, none of the reasons that are legitimate under the law for, in fact, a designated country as going on the terrorist list is appropriate or fit here. I think that is the most critical reason of all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, thank you very much. I thank the floor manager on the majority side for this unanimous consent which allows me to proceed now under morning business.

I wish to say a word or two about the Defense authorization bill which is before us, and then I want to pivot. I will talk about the health of our Nation's defense, but also about the health care of our people.

Let me start off by extending my thanks to the leaders of the Armed Services Committee, Senator LEVIN and Senator MCCAIN, and their staffs for the good work they have done. I wish to thank Senator REED of Rhode Island for his contributions as well. Standing here on the floor, I am looking at Senator REED, a graduate of the

Military Academy at West Point, and right across the aisle, at Senator MCCAIN, a graduate of the Naval Academy. It is great to have that kind of experience here in the Senate. They are sitting on opposite sides of the aisle, coming from schools that are sometimes thought to be rivals, but they are able to work together when we need them to.

I wish to express my thanks to the President and to the Secretary of Defense Bob Gates. We have learned that in the last 7 years, cost overruns from major weapons systems in this country grew from about $45 million in 2001 to last year almost $300 billion, a growth over 7 years in cost overruns for major weapons systems in 2001 of $45 million and last year almost $300 billion. What we need is for the administration as well as the Secretary of Defense and the Joint Chiefs to say to the folks on the Armed Services Committee, but also to say to us in the Senate and in the House: These are the weapons systems we need, these are the threats we believe we face as a nation, and to give us some sense of priorities of the weapons systems we should support and fund, the troop levels we need and, frankly, the weapons systems we don't need and the troop levels we don't need.

I was privileged to follow on the heels of the Presiding Officer, Senator KAUFMAN, about a month and a half ago to Afghanistan and Pakistan. He and Senator REED, I think, led that CODEL and shared with us our needs in that part of the world. We need a military strategy and we also need a civilian strategy in Afghanistan, and I think this administration has given us a good two-pronged approach. We have good new leadership there on the military side. Basically, though, they said our job here is counterinsurgency. We need more troops, more trainers to train the Afghans and to train the military side, and then the civilian side. We also need mobility in terms of a lot of additional helicopters, about 150 new helicopters or additional ones coming in to provide the mobility to move our men and women all over the southern part of Afghanistan, and to meet the Taliban threat.

The kind of weapon we don't use there or don't need there, I will be very blunt, is the F–22 which we discussed and debated here for the last several days, a fighter aircraft that has been around for a dozen or so years. We are still building more of them, but they have never flown a flight mission in Iraq and never flown a flight mission in Afghanistan either. The F–22 is limited in what it can do. It basically is a fighter, air-to-air combat. The Afghans, the Taliban, don't have fighter aircraft. In Iraq, the folks we are fighting there don't have aircraft. Meanwhile, we have F–15s, F–16s, F–18s. We are going to build 2,500 F–35s, for less than half the price of the F–22, which not only do dog fights but can also do ground-to-air support and a variety of different functions that the F–22 cannot for a lot less money. The administration, I think wisely, said as hard as it is sometimes to stop the production line on aircraft, in this case the F–22, in terms of what is cost effective, we need to refocus on the F–35 and on counterinsurgency, preparing for those kinds of challenges we face. We voted to do that, a 58-to-40 vote. I was very pleased with the vote and I commend everyone who voted as they did, and, frankly, the people who took the opposite view. There were some tough issues to deal with, I know particularly from folks in whose States the aircraft are being produced and systems for those aircraft are being produced. I know it is difficult to accept. But I am encouraged by that vote.

My hope is we will pay heed to some of the priorities sent to us by the Secretary of Defense, which are designed to make sure we spend money on weapons systems that we are likely to need in the 21st century—certainly in the next decade or two or three—and I think with today's vote, we are on a better path to do that.

HEALTH CARE REFORM

Sort of pivoting, if I can, after having said a word about the health of our Nation's defense, let me talk about the health of the people in our country. Some of my colleagues are probably getting tired of hearing me say this, but when talking about health care, I mention four things: No. 1, we spend more money for health care than any other nation on Earth. No. 2, we don't get better results. No. 3, we have 14,000 people in this country today losing their health care. No. 4, some 47 million Americans today don't have health insurance, don't have health care. We have to do better than this. We have to do better than this. I believe we can.

There has been a big focus, as there should be, on extending health care coverage to 47 million folks who don't have it, and we need to address that, obviously. Having said that, the other concern we need to address is reining in the growth of health care costs. We are getting clobbered as a nation in terms of being able to compete with the rest of the world where we pay so much more money for health care than any other nation, and employers pay, and we are getting clobbered as a Federal Government with the cost of Medicare and Medicaid, and State governments trying to bear their share of the cost of Medicaid. They see enormous pressures on their State budgets.

Over lunch today, I said to my colleagues in our caucus meeting that wouldn't it be great if somehow we could have our cake and eat it too. I said that with a piece of chocolate cake staring me right in the face. But as it turned out, there are delivery systems, if you will, of health care in this country where they are not necessarily having their cake and eating it too, but where they are able to provide better health care, better outcomes, at a lower price. Think about that: better health care, better outcomes, better quality of health care at a lower price.

The names are beginning to become familiar to us. Some are already familiar: Mayo in Minnesota, and now they have an operation down in Florida too to see if that model will work in Florida, and it has; Kaiser Permanente in northern California, an outfit called Intermountain Health—all of these are nonprofits—Cleveland Clinic in Cleveland, OH, an outfit called Geisinger in Hershey, PA; there is what is called a health care cooperative in the State of Washington, I believe it is around Puget Sound, called Puget Sound Cooperative where they have been able to emulate this interesting result of better quality outcomes, better health care, lower prices.

What we need to do is to attempt not only to extend health care coverage to folks who don't have it—47 million—but to rein in the growth of health care costs. The idea that health care costs grow at 2 or 3 or 4 percent over the consumer price index, to continue to do that is going to cripple us economically and competitively as a nation. It is going to cripple our ability to rein in our large and growing deficits.

In the last 8 years in this Nation we ran up as much new debt as we did in the first 208 years of our Nation's history. Think about that: In the last 8 years, we ran up as much new debt in this country as we did in our first 208 years as a nation. This year we are on track to have the biggest single-year deficit we have ever had. We are also in the worst economic downturn since the Great Depression, and we are trying to stimulate the economy and get it moving. I am encouraged that it is starting to move, but that is a huge deficit, coming on the heels of, frankly, 8 years where we spent like drunken sailors, and I know how drunken sailors spend. It is not a pretty sight, and this is, frankly, not a pretty sight either.

We need to go to school on the Mayos, the Geisingers, the Cleveland Clinics, the Kaiser Permanentes, the Puget Sounds, the Intermountain Healths, and see what we can learn from them. What is their secret? How are they able to do this, better outcomes, less price?

As it turns out, there are a number of things they do in common. I wish to mention a few of them today. Among the things they do, they have literally brought on to their staff the doctors at Cleveland Clinic, for example, who provide health care. They are on staff at the Cleveland Clinic. The same is true at Mayo and these other nonprofits.

I saw an interesting special on CNN a couple of weekends ago. They were interviewing a number of people who worked at the Cleveland Clinic. They interviewed a fellow who is a doctor, a cardiologist, as I recall. He used to be in private practice. He said, in the old days when I was on my own in private practice or group practice, I got paid, compensated, for the number of hearts I operated on. If somebody came to me

and they had a heart problem and it could be addressed by diet or exercise or medicine, he said, usually I didn't prescribe those things. I didn't get paid for doing that. If they needed to have a heart operation and we could address their problem with an operation, he said, I got paid for that. As a result, I was more inclined to operate on people's hearts than to use some approaches that were arguably more cost effective. He went on to say, now I work for the Cleveland Clinic. I am a staff doc here. I don't have to operate on people's hearts to be compensated. I can provide good advice, help people with their diet problems, their exercise problems, their weight problems. I can help people better understand what their opportunities are with medicine. I still get paid. Bingo.

So a light went off for me. Some of us are hearing quite a bit the need to get away from these fee-for-service deals where we basically incentivize doctors, hospitals, and nurses to ask for and order more visits, more procedures, more MRIs, more lab tests, for imaging, more x-rays, because they get paid for it, because they know that by doing more of everything, they reduce the likelihood that they are going to be sued. That sort of gets us in this conundrum where we overuse health care. If we are going to have real success in drawing down the costs of health care, part of it will be addressing the issue of fee for service, get away from that practice, and get away from the overutilization of the health care we have.

Let me mention some of the things they are doing at these five or six entities I mentioned, these nonprofits. Among the things they do is coordinate care. I use my mom as an example. My mom is now deceased. She lived in Florida for roughly the last 30 or so years of her life. She had dementia; she had congestive heart failure; she had arthritis. She had five doctors. The last years of her life that she was down there, my sister and I would go down to visit my mom about every other month or so. We would take turns, and we would go with our mom to visit her doctors. These five doctors my mom had never talked to each other. In fact, I don't think they knew that the other doctors existed. They were all in the aggregate prescribing something like 15 different kinds of prescription medicines. We kept them at her home in what looked like my dad's old fishing tackle box. It was compartmentalized with medicines to take before breakfast, during breakfast, after breakfast; before lunch, during lunch, and throughout the day. Some of those medicines my mom was prescribed, she didn't need to take. Somebody needed to know what she was taking and say, You shouldn't be taking these two medicines in combination; they are hurting you. We didn't have good coordination of care of my mom.

One of the things these nonprofits do is coordinate the care that is provided to my mom or anybody's mom or dad. Another thing that would have been very helpful for my mom or other people in that situation is to have electronic health records. If my mom had an electronic health record such as we have in the VA and like we are developing in Delaware and some other States, when my mom went from doctor's office to doctor's office they would know in each office who else she was seeing and the medicines she was being prescribed, the lab tests and everything. They would have it right there for her when she came for her regular visit.

We have a great ability to harness information technology or electronic health care records, which are a big part of that. Our nonprofits I have talked about—the half dozen or so—have that in common. On wellness and prevention, we know it is not just from nonprofits but out in California is Safeway, and these people have supermarkets all over America and several hundred thousand employees. Their health care costs from 2004 to 2008 have been level and flat. They have incentivized employees to do the right thing for themselves, in terms of holding down their weight, helping them get off tobacco, to fight obesity and lethargy, to get off the sofa, and to eat what is right; and there are antismoking campaigns and all kinds of stuff. So we have a good model there to perform.

It is not just the nonprofits but a lot of employers are starting to get into this as well.

There are another one or two points I will mention on the nonprofits. On chronic disease management, such as heart disease and diabetes, I am told that about 80 percent of the cost of these chronic diseases can be controlled by four factors: diet, exercise, overweight/obesity, and smoking. Those four factors control about 80 percent of the cost of our expenditures on chronic care. If we work with those four items, we will help reduce the costs and provide better outcomes for people. We will also hold down our costs. There are a couple lessons from the nonprofits and others. Part of it is pharmacy—making sure people who need pharmaceutical medicines, small and large molecules, are taking those, and somebody is checking to make sure they are taking what they need.

Focusing on primary care, many of those people coming out of medical schools want to be specialists. They are not interested in being primary care doctors. We need more primary care doctors. We need to change the incentives to get more primary care doctors, which is what we need. Another idea is for us to pool insurance costs. As my colleagues know, we have the Federal Employee Health Benefit Plan. We have an insurance pool where we pool all the Federal employees and their dependents and the retirees and their dependents into one large pool to purchase health insurance. They get it at a not cheap price but a pretty good price. One of the reasons why is, when you have a lot of people in the purchasing pool, you get a good variety and much better costs. If you think about the administrative costs for health insurance, as a percentage of premiums, I am told, in the Federal Employee Health Benefit Program, it is about 10 percent. When it comes to people buying individual policies and small businesses, their administrative costs as a percentage of premiums are about 30 percent. So the idea of creating large purchasing pools makes a whole lot of sense.

I will close here. The idea that we would pass health care legislation and stop extending coverage for people who don't have it—if that is all we do, we have failed the American people. We have to do at least two things. One is extend coverage but also make sure the coverage we extend provides better coverage, better quality outcomes and better health care and that we do so at a price that is diminished and does not continue to expand by several times the rate of inflation. We can do that going forward. That is what we need to do.

My friends have been generous in allowing me to proceed. I see several Senators are anxious to get back into the debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. Mr. President, I rise in support of the amendment offered by the Senator from Kansas concerning North Korea.

I must say I was entertained by the outlook—as far as North Korea's behavior is concerned—by the distinguished chairman of the Foreign Relations Committee. I can't remember when I have disagreed more.

The State Department's 2008 Country Reports on Terrorism stated that ''as part of the six-party talks process, the U.S. reaffirmed its intent to fulfill its commitment regarding the removal of the designation of the DPRK as a state sponsor of terrorism in parallel with the DPRK's actions on denuclearization and in accordance with criteria set forth by law.''

They certainly haven't taken any action on denuclearization, and it certainly hasn't been in accordance with the criteria set forth by law.

There was a problem with this trade, however. We delisted North Korea, and we got something worse than nothing. Facts are stubborn things. In response to our action, Pyongyang has embarked on a pattern of astonishing belligerence and has reversed even the previous steps it had taken toward the denuclearization prior to its removal from the terrorism list.

A few facts. In December 2008—just 2 months after the United States removed Pyongyang from the list—North Korea balked at inspections of its nuclear facilities and ceased disablement activities at the Yongbyon reactor. In March, the regime seized two American

journalists near the China-North Korean border and subsequently sentenced them to 12 years of hard labor in the North Korean gulag. These are two American citizens who may have strayed over a border. Does that mean they are sentenced to 12 years of hard labor in the most harsh prison camps in the world? What are we going to do about it? It is remarkable. Two weeks later, it tested a long-range ballistic missile, in violation of U.N. Security Council resolutions, and then announced it was expelling international inspectors from Yongbyon, reestablishing the facility, and ending North Korean participation in disarmament talks. In May, Pyongyang conducted its second nuclear test; in June, a North Korean ship suspected of carrying illicit cargo departed North Korea in likely defiance of U.N. Security Council obligations; and earlier this month, Pyongyang again launched short- and medium-range missiles into the Sea of Japan, including on the Fourth of July.

All these are indications that the North Koreans somehow should not be listed as terrorists? I think we ought to, frankly—I respect and appreciate my friend from Kansas. Maybe we ought to have a binding resolution, rather than a sense of the Senate. It is remarkable that these events have taken place against a backdrop of belligerence and intransigence by North Korea. Pyongyang has never accounted for or even acknowledged its role in assisting the construction of a nuclear reactor in Syria, which the Israelis had to bomb. Similarly, it has refused to provide a complete and correct declaration of its nuclear program. Of course, something we all know, which is one of the great tragedies in the history of the world, is this is a gulag of some 200,000 people, where people are regularly beaten, starved, and executed. According to the Washington Post, most of them work 12- to 15-hour days until they die of malnutrition-related illnesses, usually at around the age of 50. They are allowed just one set of clothes. They live and die in rags, without soap, socks, underclothes or sanitary napkins. It is a horrible story.

It is not an accident that the average South Korean is several inches taller than the average North Korean. This regime may be the most repressive and oppressive and Orwellian in all the world today. So the Chinese have been serious—according to Mr. KERRY, the Senator from Massachusetts, the Chinese have been resolute on the issue of the ship inspections. The U.N. Security Council resolution calls for monitoring and following of the ship, and if the decision is made that they need to board a North Korean ship, if the North Koreans refuse, then the following ship cannot board but can follow them into a port, where the port authorities are expected to board and inspect the vessel. And then that violation is reported to the U.N. Security Council. That ought to rouse some pretty quick action. I don't share the confidence of the Senator from Massachusetts that if a North Korean ship goes into a port at Myanmar, you will see likely action, except maybe the offloading of whatever materials are being bought by Myanmar.

Look, the North Koreans have clearly been engaged in selling anything they can to anybody who will buy it because they need the money—whether it be drugs, counterfeit currency, nuclear technology or missiles. Every time we have held onto the football, like Lucy, they have pulled it away.

I think this is a very modest proposal of the Senator from Kansas. I point out that years and years of six-party talks, different party talks, negotiations, conversations, individuals who have been assigned as chief negotiators who then end up somehow negotiating, with the end being further negotiations, has failed.

If the North Koreans continue to test weapons, test missiles, sooner or later, they will match a missile with a weapon that will threaten the United States of America. Right now, those missiles they are testing go over Japanese territory. I think it is pretty obvious we are dealing with a regime of incredible and unbelievable cruelty and oppression of their own people. The newly published Korean bar association details the daily lives of the 200,000 political prisoners estimated to be in the camps. Eating a diet of mostly corn and salt, they lose their teeth, their gums turn black, their bones weaken and, as they age, they hunch over at the waist.

This is a regime that, in any interpretation of the word, is an outrageous insult to the world and everything America stands for and believes in. I believe they will pose a direct threat, over time, to the security of not only Asia but the world. They were able to export technology all the way to Syria, obviously. Why should they not be able to export that to other parts of the world?

I urge my colleagues to vote in support of the amendment by the Senator from Kansas, and I hope we can vote on that sooner rather than later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I ask unanimous consent to add Senator BENNETT from Utah as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. I thank my colleague from Arizona. I think he understands more than anybody in this body the situation and what happens in a gulag-type situation. That has drawn me to the topic of North Korea for a couple years—the human rights abuses. Hundreds and thousands of North Koreans are fleeing to be able to simply get food, and a couple hundred thousand of them are in the gulag system. It is unbelievable that this can happen in 2009. We have Google Earth that can even show this. But we just say: OK, that is the sort of thing that happens there. It is mind-boggling to me that we wouldn't act resolutely.

I appreciate the chairman of the Foreign Relations Committee, the Senator from Massachusetts, who is a distinguished Senator and is very bright and experienced in foreign policy. I could not disagree with him more about North Korea. We have had an ongoing dialog and discussion about this. He makes the point that we should not pop this on the bill.

I have been trying for months for us to relist them as terrorists. They should not have been delisted in the first place. It was a terrible process move on the Bush administration to try to move the talks forward, saying we are going to delist you and you are going to do something for us. Pyongyang and Kim Jong Il said thank you very much, and now we are going to stick it in your face, which is what they have continued to do. I have listed the things, as the Senator from Arizona has mentioned as well.

The thought that we are acting resolutely, to me, is an insult to the people in North Korea who have lived under this oppressive regime. We are not acting resolutely toward North Korea. We are not putting any sanctions on them. We have asked for international sanctions, but why aren't we willing to put sanctions on ourselves? If we think this is such a proper course to follow, and we are willing to push it on an international body, why wouldn't we be willing to do it ourselves? Why wouldn't we be willing to list them as a terror nation, as a state sponsor of terror? I don't understand that; why, if it is good in the international arena, we wouldn't do it ourselves.

Plus, we need to have teeth into this. This is a modest—a modest—proposal. It is a resolution, a sense of the Senate that North Korea should be relisted as a state sponsor of terrorism. We are not relisting them. That is an administration call. We are saying we, as a body, given the provocative actions that have taken place since they have been delisted clearly merits the relisting of North Korea as a state sponsor of terrorism. That is our opinion, and that is what we are saying to the administration.

Without a foundation in the law, it is clearly—as I read previously—allowed for the Secretary of State to determine that the government of that country has repeatedly provided support for acts of international terrorism. That is the actual wording of the law in the Arms Export Control Act. Clearly, they have acted to sponsor international terrorism with their relation with Burma, with the missiles, with the nuclear weapons, and with the proliferation they have done and continue to do.

He says, and is suggesting, that delisting has no practical effect. I believe it does have a practical effect, and it certainly does on the administration's stance toward North Korea

and their international posture toward North Korea. Plus, it has a practical effect on what we can provide for as far as aid from the United States to North Korea. We shouldn't be providing aid to the North Koreans. We should provide food aid, if we can monitor it. We shouldn't be giving oil to the North Koreans. That should be limited so the administration cannot do that. They would not be able to if they are listed as a state sponsor of terrorism.

Mr. President, it will hurt the people of North Korea and those who are in the North Korean gulags if we don't relist them. It recovers any vestige of hope they might have that at some point in time somebody of enough stature, such as the United States Government, is going to take enough notice that they are going to put pressure on the North Korean regime. I have talked with some people who were refuseniks in the Soviet Union, in a Soviet gulag during an era where we had far less communication capacity than we do today, and yet they were able to get messages at that point in time into the Soviet gulag that the Americans were putting pressure on the Soviet Union and the lack of human rights in the Soviet Union, and it gave them hope. It gave them hope in the Soviet gulag.

If we can pass this, it can give people in the gulags in North Korea hope that somebody is at least paying enough attention to put pressure on this, and maybe they may be able to live longer, or actually live at all. It can give them hope, instead of ''abandon hope all ye who enter here,'' as it says at the entrance to Inferno and as it is in the gulag system in North Korea.

So it is a modest resolution, and I would hope my colleagues would vote overwhelmingly for this resolution to relist North Korea as a state sponsor of terrorism.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 1528

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the pending amendment be set aside and that amendment No. 1528 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Mr. GRAHAM, Mr. BEGICH, Mr. CORNYN, Mrs. HUTCHISON, and Mr. THUNE, proposes an amendment numbered 1528.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide authority to increase Army active-duty end strengths for fiscal year 2010 as well as fiscal year 2011 and 2012)

Strike section 402 and insert the following:

SEC. 402. ADDITIONAL AUTHORITY FOR INCREASES OF ARMY ACTIVE-DUTY END STRENGTHS FOR FISCAL YEARS 2010, 2011, AND 2012.

(a) AUTHORITY TO INCREASE ARMY ACTIVE-DUTY END STRENGTH.—

(1) AUTHORITY.—For each of fiscal years 2010, 2011, and 2012, the Secretary of Defense may, as the Secretary determines necessary for the purposes specified in paragraph (2), establish the active-duty end strength for the Army at a number greater than the number otherwise authorized by law up to the number equal to the fiscal-year 2010 baseline plus 30,000.

(2) PURPOSE OF INCREASES.—The purposes for which an increase may be made in the active duty end strength for the Army under paragraph (1) are the following:

(A) To increase dwell time for members of the Army on active duty.

(B) To support operational missions.

(C) To achieve reorganizational objectives, including increased unit manning, force stabilization and shaping, and supporting wounded warriors.

(b) RELATIONSHIP TO PRESIDENTIAL WAIVER AUTHORITY.—Nothing in this section shall be construed to limit the authority of the President under section 123a of title 10, United States Code, to waive any statutory end strength in a time of war or national emergency.

(c) RELATIONSHIP TO OTHER VARIANCE AUTHORITY.—The authority in subsection (a) is in addition to the authority to vary authorized end strengths that is provided in subsections (e) and (f) of section 115 of title 10, United States Code.

(d) BUDGET TREATMENT.—

(1) IN GENERAL.—If the Secretary of Defense increases active-duty end strength for the Army for fiscal year 2010 under subsection (a), the Secretary may fund such an increase through Department of Defense reserve funds or through an emergency supplemental appropriation.

(2) FISCAL YEARS 2011 AND 2012.—(2) If the Secretary of Defense plans to increase the active-duty end strength for the Army for fiscal year 2011 or 2012, the budget for the Department of Defense for such fiscal year as submitted to Congress shall include the amounts necessary for funding the active-duty end strength for the Army in excess of the fiscal-year 2010 baseline.

(e) DEFINITIONS.—In this section:

(1) FISCAL-YEAR 2010 BASELINE.—The term ''fiscal-year 2010 baseline'', with respect to the Army, means the active-duty end strength authorized for the Army in section 401(1).

(2) ACTIVE-DUTY END STRENGTH.—The term ''active-duty end strength'', with respect to the Army for a fiscal year, means the strength for active duty personnel of Army as of the last day of the fiscal year.

Mr. LIEBERMAN. Mr. President, I am pleased and proud to introduce this amendment with a bipartisan group of cosponsors. To state it briefly, it extends the authorized end strength of the U.S. Army by 30,000 over the next 3 years, effective with the commencement of fiscal year 2010. It doesn't mandate this increase, but it expands the authority of the Secretary of Defense, obviously, with the support and authorization of the President of the United States, the Commander in Chief, to extend the end strength of the U.S. Army. End strength means how many soldiers can the U.S. Army have. Of course, it does this to reduce the tremendous stress on the U.S. Army, which is carrying the burden of combat in two wars, in Iraq and Afghanistan today, and over the next year or 18 months will be in this unique position.

Progress has been made, thank God, in Iraq, and the Iraq Security Forces are progressively taking over responsibility for keeping the security in their country. The drawdown of American soldiers is happening in a methodical and responsible way, and I again express my appreciation to President Obama that it is happening in that way. At the same time, we are increasing our troop presence in Afghanistan. Bottom line: The demand for members of the U.S. Army on the battlefield over the next year, 18 months, at the outside 2 years, is going up. If the supply remains constant, that means the stress on every soldier in the U.S. Army and his or her family will not be reduced. As a matter of fact, it will go up. The term for this—which I will get to in a minute—in the Army is ''dwell time.''

This is an amendment that began with members of the Senate Armed Services Committee, and a comparable amendment in the House Armed Services Committee, recognizing, as we all do, the tremendous stress that our Army is under, the extraordinary job they are doing in Iraq and Afghanistan.

This is really the next great generation of the American military. But we see in it some tough statistics: the increase in mental health problems, the increase in divorces of members of the service, and, worse, of course, the increase in suicides.

There are many things we have supported in this Senate and the Congress—and the administration has—to respond to each one of those problems. But in a way, the most direct thing we can do is to increase the size of the U.S. Army so there is less pressure on every soldier in the Army, in this sense. Every time we add another soldier to the U.S. Army—and we are talking about authorization to add 30,000 more—it means that much more time every other member of the U.S. Army can spend back at base retraining, preparing and, most important of all, spending time with their families.

As I know the Presiding Officer knows—and I know the President of the United States knows it too—the good news is that the Secretary of Defense, Bob Gates, who has done and is doing an extraordinary job for our country with, of course, the support and authorization of President Obama, yesterday announced that he would be temporarily increasing the Active-Duty end strength of the U.S. Army by 22,000 soldiers over the course of the next 3 years.

I cannot sufficiently express my words of appreciation for Secretary Gates's decision. He acted by employing the emergency authority he has in an authorization of the use of force and a built-in statutory waiver he has up to 3 percent of existing end strength to expand the size of the Army. This amendment, which had been planned,

and was in the committee before this great action by Secretary Gates yesterday, is now before us, and I am honored to offer this amendment with a bipartisan group of cosponsors who are listed on this amendment as a way to do two things: The first is that it literally increases from 547,000 to 577,000-plus the authorized end strength of the U.S. Army, and to leave that authority there in case there is a need that Secretary Gates and the President see in the coming 3 years to raise the number.

Mr. MCCAIN. Mr. President, will the Senator yield for a question?

Mr. LIEBERMAN. I will be happy to yield.

Mr. MCCAIN. It is my understanding that the amendment authorizes the additional forces Secretary Gates said yesterday in his speech that we need—or the day before yesterday. Why do we need to put this into the bill?

Mr. LIEBERMAN. Two reasons. The first is that it is a bit beyond what Secretary Gates did. He authorized using the extraordinary powers he possesses as Secretary in this time of conflict up to 22,000 for the next 3 years. The amendment authorizes—doesn't mandate, doesn't appropriate—30,000 for the next 3 years. So it gives some latitude, depending on how conditions go in Iraq and Afghanistan, to go a bit further—8,000 more, if necessary, over the next 3 years.

Second, I say to my friend from Arizona, when this amendment started, we didn't know Secretary Gates was going to do this. I am grateful he did, but this amendment now—frankly, as Secretary Gates himself said to me yesterday, and I appreciate it and I don't think he would mind if I repeated it on the Senate floor—gives the Senate and Congress the opportunity to essentially vindicate and support the step that the Secretary has made and, as he put it, send a message from the Senate to the members of the U.S. Army that help is on the way.

Mr. MCCAIN. And there is no doubt that the Army very badly needs the help now and in the foreseeable future.

Mr. LIEBERMAN. My friend from Arizona is absolutely right. There is no doubt, based on the demand, certainly temporarily, over the next 18 months, perhaps 2 years, as we are drawing down in Iraq, but not as rapidly as we are adding forces in Afghanistan, that there is at least a temporary need for more than the authorized 547,000 members of the U.S. Army.

Mr. MCCAIN. And if I could question the Senator further, perhaps this would illuminate any requirement for stop loss or for involuntary extensions in a combat area.

Mr. LIEBERMAN. Absolutely. As a matter of fact, one of the reasons Secretary Gates gave yesterday I will read:

> The decision to eliminate the routine use of ''stop loss'' authority in the Army requires a larger personnel flow for each deploying unit to compensate for those whose contract expires during the period of deployment.

So, yes, this makes it possible to end the use of stop loss, which is essentially, in layman's terms, a way to require people to stay actively deployed longer than they originally were going to be deployed.

Mr. MCCAIN. I thank the Senator.

Mr. LIEBERMAN. I thank my friend from Arizona. We have illuminated most of the reasons in our exchange why this amendment is important. I will simply add a few more things Secretary Gates said yesterday, which is:

> The army has reached a point of diminishing returns in their multiyear program to reduce the size of its training and support ''tail.''

That is the training and support which supports the Active-Duty Army.

> The cumulative effect of these factors is that the Army faces a period where its ability to continue to deploy combat units at acceptable fill rates is at serious risk.

Here is the point I just made in response to Senator MCCAIN's question.

> Based on current deployment estimates, this is a temporary challenge—

A temporary point of stress. We hope and pray that is true. It certainly looks like it is—

> which will peak in the coming year and abate over the course of the next 3 years.

Mr. President, in addition to the Secretary of Defense, we heard from the Army's Chief of Staff, GEN George Casey, and Secretary of the Army Pete Geren, who have been advocates within the Pentagon for this increase in end strength, and I thank them for that. Admiral Mullen, Chairman of the Joint Chiefs, told our Armed Services Committee earlier this year that the light at the end of the tunnel, as he put it, is still more than 2 years away, and that is only if everything goes according to plan, which in combat, obviously, often does not.

Again, I say this is an authorization; it is not a mandate. I will add that Secretary Gates announced yesterday that he will find a way to fund the additional troops in this year and fiscal year 2010—the one that begins October 1—by reprogramming other funds appropriated to the Pentagon for fiscal year 2011, which is the budget that will be presented to us next year, if it is probable that the Department of Defense will require funding as part of its normal operations, and more likely as part of the OCO fund—the overseas contingency operation fund—which supports our presence in Iraq and Afghanistan.

I cannot say enough, I know all of us in the Senate believe we cannot say enough, in gratitude to the members of the U.S. Army who are leading the battle for us against the Islamic extremists and terrorists who attacked us on 9/11/01. We owe them a debt we can never fully repay.

One thing we can do, that Secretary Gates did yesterday and the Senate can do in this amendment, is to send a message to our troops in the field that help is on the way in the most consequential way, which is additional members of the Army.

I ask that when the vote be taken, it be taken by the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LIEBERMAN. Again I say to my colleagues I am doing that, although I expect there will be very strong support for this, because I believe it is the most visible way for this Senate to send the message to the U.S. Army of appreciation and gratitude, to them and their families, that help is on the way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, let me commend Senator LIEBERMAN and others who support this amendment. We in the Armed Services Committee are very supportive of previous increases; indeed, we led the way on some of them. Because of the stress on the Army and the number of commitments which had been made in Iraq and Afghanistan, we must give the kind of support to our troops they deserve and the American people want us to give.

One of the ways we can reduce some of the stress is by increasing the end strength so the dwell time is more sufficient and there are other positive spinoffs as well from this kind of increase in the authorized end strength.

The Secretary made a very powerful speech the other day when he called for an increase of 22,000, I believe, in the end strength. That end strength is temporary, it is almost as large as this—not quite; this is 30,000, but this is surely in the ballpark. It is appropriate. It is authority, it is not mandatory, and I think it is a very positive signal to send to our men and women in uniform and to their families. I very much support the amendment.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, briefly I thank Senator LEVIN, the chairman of the Armed Services Committee, not just for his strong statement of support now but for the support he has given during our committee's deliberations to the goal of achieving an increase in Army end strength.

I yield the floor.

Mr. CARDIN. 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. CARDIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

AMENDMENT NO. 1475

Mr. CARDIN. Mr. President, I am going to talk about an amendment we

have not yet cleared unanimous consent for it to be brought up. I am hopeful that will come. But in order to advance the issue, I intend to talk about my amendment, No. 1475, without offering it at this time. I think it is an appropriate amendment to talk about at this point following Senator LIEBERMAN's amendment because his amendment deals with increasing our forces.

One of the reasons it is important to do that is the stress that the restricted numbers provide on our military personnel. Senator LIEBERMAN mentioned, and I will repeat, the number of suicides and attempted suicides by our young men and women serving in the military has increased and one of the reasons, frankly, is that the repeated deployments and the length of the deployments have added to the stress of our servicemen.

Health experts agree that there is most likely a combination of factors leading to this increase in suicides. Many of these factors are simply the results of the prolonged conflict that our Nation finds itself in, including multiple deployments, extended separations from family and loved ones, and the overwhelming stress of combat experiences; each placing a unique and tremendous strain on the men and women of our all-volunteer force.

But while Congress has recognized these strains, and acted to help provide relief by increasing the size of our forces and thereby reducing the number and frequency of deployments, we cannot as easily remedy the stress or mental trauma created by combat experience.

For those who have had to witness the ugliness and devastation of war first-hand, they have encountered something very unnatural for the human mind to comprehend or accept. For these service members, recovering from these experiences involves a long and arduous journey in learning to identify, control and cope with a wide array of emotions. And this learning process is often only accomplished with the guidance and management of highly trained mental or behavioral health specialists.

In this light, we in Congress have acted to increase funding for more mental health providers and improved access for our troops and their families, and we have sharpened the focus of the military on addressing these care needs. That is very positive and has had a very positive effect.

What we must now focus on, and direct the military's attention to, is the potentially harmful practice of administering antidepressants to a population that frequently moves throughout a theatre of war and is therefore susceptible to gaps in mental health management. We are not certain they are getting the follow-up care they need.

A 2007 report by the Army's fifth Mental Health Advisory Team indicated that, according to an anonymous survey of U.S. troops, about 12 percent of combat troops in Iraq, and 17 percent of combat troops in Afghanistan, are taking prescription antidepressants or sleeping pills to help them cope with this stress. This equates to roughly 20,000 troops on such medications in theatre right now.

What I find particularly troubling, when reviewing these figures, is that the Pentagon has yet to establish an official clearinghouse that accurately tracks this kind of data. In fact, the Army's best reported estimate can only tell us that the authorized or prescribed drug use by troops in Iraq and Afghanistan is believed to be evenly split between antidepressants—mainly selective serotonin reuptake inhibitors, or SSRIs—and prescription sleeping pills. My amendment would provide us with the information so we know what is happening with the use of these drugs.

Providing that this best estimate contains some degree of accuracy, it is important for us to also recognize that many of these same antidepressants, after strong urging by the FDA, recently expanded their warning labels to state that young adults—ages 18–24 years old—may be at an elevated risk of suicidal thoughts and behavior while using the medication. This same age group—18–24 years old—represents 41 percent of our military forces serving on the front lines in Iraq and Afghanistan.

While keeping this warning label in mind, it is imperative that my colleagues understand that nearly 40 percent of Army suicide victims in 2006 and 2007 are believed to have taken some type of antidepressant drugs—and overwhelmingly these SSRIs. And as I mentioned at the beginning of this statement, the number of Army suicides reported each month are outpacing each preceding month.

This class of antidepressants—these SSRIs—are unlike most earlier classes of psychiatric medications in that they were, from their inception, specifically designed for use as an antidepressant—that is, they were engineered to target a particular process in the brain that plays a significant role in depression and other anxiety disorders. More significantly, however, these SSRIs are unlike most other antidepressant medications because they are still allowed by Department of Defense policy to be prescribed to service members while they are deployed and directly engaged in overseas operations.

Now, to be fair, there is widespread consensus in the community of professional mental health providers, and empirical evidence to support, that SSRIs do offer significant benefit for the treatment of posttraumatic stress and some forms of depression. And although there are some side effects, they are reportedly much milder and shorter in duration than other antidepressants. Additionally, SSRIs are also believed to potentially prevent, or at least some believe, lesson the more harmful long-term effects of posttraumatic stress disorder.

My concern, however, and hopefully that of my Senate colleagues, is not the long-term efficacy of these SSRIs, but more pointedly the volume and manner in which these drugs are being administered to our service men and women overseas.

You see, unlike medications that work on an as-needed basis, SSRIs only begin to work after having been taken every day—at a specific dosage—for a significant period of time. This frequently translates to a 3 to 6 week latency period before the therapeutic effect materializes and patients begin to feel improvement. In light of the population I have been discussing, there are two very readily apparent problems with this shortcoming—first, is that service members serving in forward operating areas, such as Afghanistan and Iraq, are quite frequently subject to moving between bases or into other areas—some so remote that there may be no trained mental health provider available to administer the treatment and to make sure it is effective.

Second, and more importantly, is that this initial period is when patients, particularly younger patients, often suffer an escalation in the severity of depression and/or anxiety.

In essence, DOD may be prescribing SSRIs to its service members, without the assurance that they will remain in a capacity to be observed by a highly trained mental health provider. Worse yet, these same patients may very likely find themselves ordered off to conduct combat operations during this same latency period.

Let's return our focus back to the alarming increase in the number of military and veteran suicides reported in 2008 and 2009.

At what point do we step forward to direct that action be taken by DOD to capture, track and report this data? And at what point do we ensure that DOD is properly prescribing, dispensing and administering these drugs to our troops without having in place the necessary controls and or patient management practices?

As a first step in this direction, the amendment I intend to introduce will accomplish a better understanding as to the potential magnitude of this issue. This amendment directs the Department of Defense to capture, at a macro level—at a macro level, not individual information, without divulging or violating any protected patient health information—the volume and types of antidepressants, psychotropics or antianxiety drugs being prescribed to our men and women serving in Iraq and Afghanistan. It will also require DOD, beginning in June of 2010 and then annually thereafter through 2015, to report to Congress an accurate percentage of those troops currently and previously deployed to Iraq and Afghanistan since 2005 who have been prescribed these types of drugs.

I wish to reiterate that this measure specifically directs the disclosure of

this information by DOD to be done in such a way as to not violate the individual patient privacy rights of our service men or women as defined by HIPAA.

This legislation further directs DOD to contact the National Institute of Mental Health and provide any and all data as determined necessary by the Institute to conduct a scientific peer reviewable study to determine whether these types of prescriptions, and/or the method in which they are being prescribed and administered by DOD, are in any way contributing to the rising number of suicides by servicemembers or Iraq or Afghanistan veterans.

I want to specifically address one issue I have heard from some who express concern about this amendment by saying it would stigmatize, in the eyes of our troops, those seeking mental health care. Nothing could be further from what this amendment does. This amendment would collect information in an anonymous manner, and it will be invisible to the servicemembers serving on the front line.

The men and women serving in our military, and equally so their families, deserve our utmost assurance that we are doing everything in our power to see that our Nation's warfighters are provided the best medical care available. An integral part of our commitment must also be to ensure that these service men and women volunteering to serve our Nation are not being exposed to what may potentially endanger them when they seek medical care and mental health service.

This amendment is very simple. It asks us to gather information so we can make a judgment in a macro sense, without violating the individual privacy of our service men and women. It allows us to gather the information, to have the best information. This Congress has a proud record of providing the necessary resources for the health care of our warriors and their families.

This amendment will complement that by making sure that we have the analytical tools to make sure we are providing the right type of mental health services to our service men and women who are in theater. It gets us the information in order to judge what is being done today.

I would hope my colleagues would agree that we would want to have this information, and I hope at a later time I will have the opportunity to actually offer the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. First of all, let me commend the Senator from Maryland on his amendment. I support it. I hope it can be cleared or placed in order so that we can adopt it on a rollcall if it cannot be cleared.

AMENDMENT NO. 1528

I ask unanimous consent that we now proceed to a vote on the Lieberman amendment, a rollcall vote on the Lieberman amendment.

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Maryland (Ms. MIKULSKI), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Virginia (Mr. WEBB) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAPO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 1, as follows:

[Rollcall Vote No. 236 Leg.]

YEAS—93

Akaka	Ensign	McCaskill
Alexander	Enzi	McConnell
Barrasso	Feinstein	Menendez
Baucus	Franken	Merkley
Bayh	Gillibrand	Murkowski
Begich	Graham	Murray
Bennet	Grassley	Nelson (NE)
Bennett	Gregg	Nelson (FL)
Bingaman	Hagan	Pryor
Bond	Harkin	Reed
Boxer	Hatch	Reid
Brown	Hutchison	Risch
Brownback	Inhofe	Roberts
Bunning	Inouye	Rockefeller
Burr	Isakson	Sanders
Burris	Johanns	Schumer
Cantwell	Johnson	Sessions
Cardin	Kaufman	Shaheen
Carper	Kerry	Shelby
Casey	Klobuchar	Snowe
Chambliss	Kohl	Stabenow
Coburn	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Lautenberg	Udall (CO)
Conrad	Leahy	Udall (NM)
Corker	Levin	Vitter
Cornyn	Lieberman	Voinovich
DeMint	Lincoln	Warner
Dodd	Lugar	Whitehouse
Dorgan	Martinez	Wicker
Durbin	McCain	Wyden

NAYS—1

Feingold

NOT VOTING—6

Byrd	Kennedy	Specter
Crapo	Mikulski	Webb

The amendment (No. 1528) was agreed to.

Mr. LEVIN. 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 Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that Senator LEAHY be added as a cosponsor on the amendment which we just adopted, the Lieberman amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1688

Ms. SNOWE. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, I rise in support of this vital amendment in order to correct disparities among the Small Business Administration's, SBA, small business contracting programs. Building on my efforts to bring true parity to the programs, this amendment will create a more equitable and flexible method for Federal agencies to fairly allocate Federal procurement dollars to small business contractors across the Nation. Earlier this year, I offered an amendment, cosponsored by my colleague from Maine, Senator COLLINS, to create parity as part of S. 454, the Weapon Systems Acquisition Reform Act of 2009. Unfortunately, that amendment was not accepted.

For years it has been unclear to the acquisition community what, if any, is the true order of preference when determining which small business contracting program is at the top of the agency's priority list. The SBA's regulations state that there is parity among the programs, and this had been the general practice in effect until two Government Accountability Office decisions were released on September 19, 2008, and May 4, 2009.

The decisions stated that the Historically Underutilized Business Zone—HUBZone—program had preference over all other small business contracting programs. While the interpretation benefits HUBZone businesses, it comes at the expense of other vital small business contracting programs. This targeted amendment provides equity for the SBA's small business contracting programs.

The amendment provides Federal agencies with the necessary flexibility to satisfy their government-wide statutory small business contracting goals. This amendment makes clear to purchasing agencies that contracting officers may award contracts to HUBZone, service-disabled veterans, 8(a), or women-owned firms with equal deference to each program. It would provide these agencies with the ability to achieve their goaling requirements equally through an award to a HUBZone firm, a service-disabled veteran-owned small business, and a small business participating in the 8(a) business development program. And of course this list will also include women-owned small businesses once the women's procurement program is fully implemented by the SBA.

In addition, this amendment brings the SBA's contracting programs closer to true parity by giving HUBZones a subcontracting goal. HUBZones are the only small business contracting program without a subcontracting goal. In addition, the amendment authorizes mentor protégé programs modeled after those used in the 8(a) program for HUBZones, service-disabled veteran and women-owned firms.

The essence of true parity is where each program has an equal chance of competing and being selected for an award. During these difficult economic

times, it is imperative that small business contractors possess an equal opportunity to compete for federal contracts on the same playing field with each other.

I urge my colleagues on both sides of the aisle to support this amendment.

AMENDMENT NO. 1500

Mr. GRASSLEY. Mr. President, I rise today to support the section 1072 of S. 1390, National Defense Authorization Act of 2010. This section authorizes the Comptroller General of the United States to assess military whistleblower protections.

As everyone knows, I strongly believe whistleblowers play an important role in the accountability of all government. This should also be true for the men and women who wear uniforms and serve in the Armed Forces.

In 1988, Congress passed legislation that gave members of the armed services unique whistleblower protections. Despite this military whistleblower law, I have concerns that military whistleblowers could be underserved by the regulations and processes created by the Department of Defense, DOD, and the DOD, Office of Inspector General, OIG.

During the course of my own investigation of several military whistleblower cases, I learned some matters which may question how effectively military whistleblower reprisal cases are handled by the DOD and DOD OIG. The Government Accountability Office, GAO, has noted in its past work that the effectiveness of the Federal protection for military whistleblowers rests principally on a two-stage process of investigation and administrative review. The first stage involves a DOD, service, or guard inspector general's investigation of the specific facts and interpretation of issues associated with a whistleblower reprisal allegation. In the second stage of the investigation/administrative review process, the DOD OIG reviews and approves the findings of the service or guard inspectors general. This review is designed to provide assurance that the findings and recommendations in a report were made in compliance with applicable investigatory guidelines and meet legal sufficiency. The second stage of this procedure is crucial for the military whistleblower process to work as intended.

In addition to the tasking included in S. 1390, the military whistleblower reprisal appeal process should be examined by the GAO as well. The military whistleblower law, 10 USC § 1034, gives the Boards for the Correction of Military Records—BCMR—of each armed service the appeal authority in these often unique and complex matters. I believe the report requested by the underlying bill is important and I support its inclusion. However, it is important for the GAO to also study the effectiveness of the BCMR appeal process to ensure military whistleblowers are afforded a fair administrative process to combat reprisal.

Last year, I first introduced the idea of a GAO military whistleblower study when I requested this work of the Acting Comptroller General Gene L. Dodaro in a letter dated July 18, 2008. I followed up on my letter to the GAO with a legislative proposal through a filed amendment to the Defense Department appropriations bill for 2009 which instructed the GAO to conduct a comprehensive analysis of this issue. Unfortunately, that amendment did not make it through the legislative process. I thank Chairman LEVIN and Ranking Member MCCAIN for including this sensible military whistleblower study in the current bill.

Accordingly, I offer this latest amendment to include a review and analysis of the military whistleblower reprisal appeals heard by the Boards for the Correction of Military Records.

Mr. DURBIN. Mr. President, the National Defense Authorization Act for Fiscal Year 2010 authorizes almost $680 billion for the Department of Defense and the national security programs of the Department of Energy.

The bill provides pay and health care to servicemembers and their families; funds troops with the equipment and resources they need to fight and provide security; strengthens our ability to train foreign militaries and protect against IEDs and rogue nuclear threats; and terminates questionable weapons programs.

It also includes legislation to complete the James A. Lovell Federal Health Care Center in Illinois.

It gives the VA and the Navy the authority they need to finalize a model partnership between the North Chicago VA Medical Center and the Naval Health Clinic Great Lakes.

This is a model that the Departments hope can be replicated around the country.

Combining separate Federal hospitals will provide better care for our servicemembers and veterans while saving valuable taxpayer dollars.

Given the conflicts we face abroad, this bill provides the right amount to spend in support of our troops. Today, the United States is the world's leader in defense spending. Last year, U.S. military spending accounted for almost half of the world's total military spending. We spend more than the next 46 countries combined. U.S. military spending, combined with that of our close allies, makes up 72 percent of all military spending in the world. Our defense budget is six times larger than China's and 100 times larger than Iran's.

These funds make good on a promise to our men and women in our military. Our troops continue to do everything we ask of them in the wars in Iraq and Afghanistan. These conflicts have taken an extraordinary toll on servicemembers and their families that we cannot forget.

The Armed Forces, particularly the Army and the Marine Corps, will continue to be heavily stressed, even as we start to redeploy our forces from Iraq. Servicemembers still do not have enough dwell time between deployments and the Army has seen a troubling rise in the number of suicides. These are indications of the strain that multiple and continued deployments are taking on the force. The President requested increasing the size of the Army to 547,400 soldiers and increasing the Marine Corps to 202,100 Marines, while preventing cuts in Navy and Air Force personnel. This bill supports the President's request. It also authorizes an additional 30,000 soldiers in 2011 and 2012, should the Secretary of Defense believe such troops are necessary. Additional soldiers and marines will help ease the burdens caused by multiple deployments.

More personnel will give each service more breathing room to care for its wounded warriors. Others can continue the fight while injured and ill servicemembers can recover in wounded transition units.

This legislation creates a task force to assess the policies and programs that support the care and transition of recovering wounded and seriously ill members of the Armed Forces. The task force will consider whether servicemembers have sufficient access to care for posttraumatic stress disorder and traumatic brain injury, the signature injury of the wars. It will look at how well we help injured warriors transition from the Department of Defense to the Department of Veterans Affairs.

The task force will also review the support available to family caregivers as they care for recovering injured and seriously ill members of the Armed Forces. For every servicemember successfully recovering from a serious injury or illness, there is often a family member who has put the brakes on his or her life to care for that person.

Last week, my office received a call from the family of Jordan Hoyt, a soldier from Barry, IL. He was seriously injured in Afghanistan and is receiving care at Walter Reed Army Medical Center here in Washington. His wife Haley has moved to Washington to be near Jordan while he goes through months of surgery and rehabilitation. She has brought with her their infant child, who was born while Jordan was away serving his country. Haley is from Quincy. She has left her family behind to help Jordan recover from his injury. She has also delayed her educational plans to study criminal justice. Haley is 19 years old. After Jordan leaves Walter Reed, the couple will return to Quincy to live with her mother, who has already provided them with incredible support. While taking care of wounded servicemembers is our basic responsibility, we also need to support the families whose lives have been upended by the wars. I commend the committee for including this task force to look at the needs of family caregivers.

This President inherited many challenges at home and abroad, including two wars and a challenging situation in

Pakistan. This bill supports President Obama's new direction in addressing these priorities. In June, our military redeployed from Iraq's cities under the Status of Forces Agreement concluded by the government of Iraq and the previous administration. The Iraqis must continue to take responsibility for their own future.

I commend the President's increased focus on defense and development in Afghanistan; preventing the reemergence of the Taliban and al-Qaida; and strengthening economic, agricultural, educational, and democratic development. These goals are important to development in Afghanistan, but they are essential to our military's strategy. I support the National Defense Authorization Act and commend Chairman LEVIN and Senator MCCAIN for their leadership.

Almost 3,000 soldiers from the Illinois Army National Guard are currently deployed to Afghanistan. Members of the Illinois Guard's 33rd Infantry Brigade Combat Team are helping train the Afghan National Police and providing force protection at military bases. It has been a difficult deployment, with many casualties. Gen William Enyart, the Adjutant General of Illinois, has had to attend the funerals of too many of his soldiers. He sent me an article he had written this spring. Why do the young soldiers serve, he asked? This is what he wrote. They serve because:

> They are our kids, they are our protectors. They are what stand between us and chaos. They don't have to be asked to serve. They don't have to be asked to go into danger. They do it, not out of hate, not out of vengeance, but out of love. Love of family, love of community, love of fellow soldier.

I think he is right. Members of the Armed Forces and their families make these sacrifices to keep our country safe. We owe them much in return. This bill takes one step by providing them the resources they need. I ask my colleagues to support this legislation and to send it to the President for his signature.

MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senator HATCH to be recognized for 15 minutes, then Senator MURRAY for 8 minutes, then Senator BURRIS for 6 minutes, and Senator BROWN for 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DEFENSE AUTHORIZATION

Mr. LEVIN. Mr. President, there will be, then, no more amendments we will be able to take up tonight on the Defense authorization bill. We will pick up that bill tomorrow.

The PRESIDING OFFICER. The Senator from Utah.

GUANTANAMO BAY

Mr. HATCH. Mr. President, I rise to express my concerns about the administration's failure to make the deadline of issuing a report on the Guantanamo detainee policy. Today's deadline, similar to the January 2010 closure deadline, was self-imposed. It concerns me that the administration maintains that closure will occur even though the execution of this process has been less than stellar.

In January, on his very first full day in office, President Obama signed the order to close the Guantanamo Bay detention facility in 12 months. The President created separate task forces to examine closure and detainee issues. These task forces were developed and staffed by the Obama administration to achieve successful closure in 1 year. The product of this review is to include a report on a broader detainee policy.

Today marks the first deadline in this process. It was set to be the date of release and publication of the task force report on a broader detainee policy going forward. The administration's failure to meet the deadline appears to me to be the ''canary in the coal mine'' that a January closure of Guantanamo without a detailed plan is an exercise in futility.

Yet the White House downplays the missed deadline and publicly states that the January closure is still on track. Is it? Despite not having a plan and missing a deadline for a key integral part of the closure process, the administration claims it can still meet the overall deadline of closure by January 1. I find that notion suspect at best and completely absurd at worst.

In May, a Gallup Poll indicated that 65 percent—65 percent—of Americans oppose the closure of the Guantanamo Bay detention facility. Even so, the administration intends to follow its timeline and close Guantanamo by January 2010. The task force examining the cases of the remaining 229 detainees has only reviewed half the necessary caseload thus far.

The Justice Department hopes to complete its review by an October reporting deadline, but that benchmark is quickly slipping away too. This review process has taken twice the amount of time the administration thought it would take. Yet keeping Guantanamo open beyond January is inexplicably still not an option in the administration's view.

Recently, media reports are circulating that the administration's Guantanamo closure plan has been fraught with political miscalculation and internal dissension. Moreover, the complex nature of this issue will undoubtedly force the transfer of detainees inside the United States. Since the announcement of the President's intention to close Guantanamo, I have joined other Senators in pointing out the lack of planning and clear miscalculation of this decision. That pool has grown and a groundswell of bipartisan support is signaling the White House to ''pump the brakes.''

In May, the Senate voted 90 to 6 to strip out funding in the fiscal year 2010 war spending request that would authorize $80 million for the transfer of detainees to the interior of the United States of America. Now that the failure to meet this deadline has been reported by outlets such as the Wall Street Journal, Washington Post, and New York Times, the administration still does not get it. Senior administration officials are letting hubris get in the way. This is neither the proper manner nor the time to close Guantanamo.

There should have been more study of this issue prior to setting us on a course for closure. It is easy to say that Guantanamo can be closed when you are a candidate for President. It is even easier to sign an order on your very first full day in office as President that says in 12 months Guantanamo will close. What is hard is taking a deliberative, methodical approach and then formulating the proper plan to balance the safety of this country with the needs of lawful detention. Had the administration conducted a careful and thorough review of this issue, the conclusion would have been that Guantanamo fulfills both requirements. Instead, the administration has painted itself into a corner.

Clearly, the administration miscalculated and underestimated the depth and breadth of this issue. From the onset, the administration has tried to reverse-engineer the process for closing Guantanamo—starting from the end and working backward. If changes are not made immediately, administration officials will force this issue on American cities and towns in just 185 days. They will limp across the finish line. We have 185 days until Guantanamo is closed. The days until the plan is released ARE a big question mark. They are going to limp across the finish line on January 22, 2010, and herald their accomplishments a victory despite its ill-conceived planning and three stooges-like manner of execution.

Guantanamo is still an asset to this country. It complies with international treaties and exceeds the standards of domestic corrections facilities. I don't see how anyone who is honest about this matter can characterize it in any other way, especially when there is not a sufficient replacement located domestically to meet the Justice Department's needs. It is my fervent hope that the President and Attorney General will reconsider their ill-considered plan to close Guantanamo and recognize the obvious, that a $200 million facility that is already operational and in compliance with international treaties should not be shuttered.

This is an important issue. I don't think the American people are going to stand to have these very dangerous people brought on shore to our country when we have a $200 million facility that meets international treaty obligations sitting there doing the job. I think the administration needs to get

this work done and needs to get it done the right way.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. (Mr. UDALL of Colorado). The Senator from Washington is recognized.

HEALTH CARE REFORM

Mrs. MURRAY. Mr. President, 3 weeks ago I sent a letter to families across my home State of Washington asking for their help as we reform our broken health care system. I told them I wanted to pass a plan that protects existing coverage when it is good, improves it when it is not, and guarantees care for the millions who have none. I asked them to share their stories with me and ideas about how to make this vision a reality. I told them that I know health care is a very personal issue, but also that personal stories have the power to change minds and transform debates. The response to my request has been simply overwhelming.

I wish to share some of the stories that have been pouring into my office—over 5,000 so far—because they underscore not only the desperate need to fix our broken health care system but also the dire necessity to get it done this year.

For too many families today, health care reform can't wait. I wish to share a story from a letter I received from Rita from Seattle who sent me a story about her sister Janet. Janet was unemployed and had lost her health insurance when her throat began to hurt one day back in 2004. She paid out of her own pocket to visit a health clinic and was sent home with antibiotics. Well, weeks later, she was still in a lot of pain and finally managed to get an appointment with a specialist, but she was told she had to wait 6 weeks more to come in to get help. Only after begging them for an appointment was she seen by the specialist 3 days later and was told that the pain she had been living with was in the late stages of an aggressive form of throat cancer. Janet died not long after that. It was a death that would have been prevented had she been able to see a specialist earlier.

Janet is not alone. A woman by the name of Kathleen from Puyallup, WA, sent in a story about her friend Kelly. Kelly had just been laid off from work when she came down with what she thought was the flu. She didn't have any health insurance because she had been laid off from her job and she couldn't afford to go to the doctor, so she waited. Two weeks later she felt even worse, so she finally made an appointment to go in for a checkup. Kelly never made it to the doctor. Her 7-year-old son found her dead on the couch on the morning she was supposed to go in. She died from an untreated ovarian cyst. Because Kelly didn't have health insurance, that little boy no longer has a mother.

I think the fact that these stories are possible in the greatest and richest country in the world is simply shameful. No son should lose a mother simply because she can't afford care. No family should have to watch a loved one suffer because insurance companies instead of doctors are making the decisions. That is why we so badly need to reform our health care system this year.

Our country has been working on this issue for over 60 years and we have spent months and months this session alone working to put together a reform package that works for all Americans. We have had over 6 months of hearings. We went through over 50 hours of public markups. We debated over 200 amendments. So when I hear some of my colleagues from across the aisle saying we should slow down, saying we should take more time, or that we are trying to reform health care too fast, and when I see some of them shrugging off every attempt we have made at engaging them and bringing them into the process, I think of Kelly and I think of Janet and I think of all of the families out there right now with sick husbands or sick wives or sick kids. I think of all the small business owners I have talked to who can't cover their employees. I think of the people who have coverage, but are worried about losing it today in this uncertain economy. I think about all the working Americans who are paying a hidden tax today in the form of rising premiums in order to cover those Americans who don't have access to care. As a mother and as a Senator, I say enough is enough.

Yesterday we heard some pretty ugly and blatant rhetoric. One Member of the Senate who wants to protect the status quo, who doesn't want to make any changes, said: ''If we're able to stop Obama on this, it will be his Waterloo. It will break him.''

That is playing games with real lives in order to score cheap political points. Bucking health care reform isn't going to break the President of the United States. It will break American families. It will break American businesses. It is going to break the bank.

Americans deserve better. The families of Janet and Kelly and the thousands of others who have written me deserve better. We can't play politics with what is most important to our Nation's families—the health of their loved ones.

They say justice delayed is justice denied. Well, health care delayed is often health care denied. It was denied to Kelly, it was denied to Janet, and it gets denied to more Americans every single day we wait.

I call on all of our colleagues here in the Senate to work with us to rise above partisanship. We have a good plan right now. We are working to listen and bring everybody in and make it better. It will rein in the costs with the goal of lowering them across the long term. It will make sure all Americans have high quality, affordable coverage.

This issue is not going to go away if we don't do anything. It is not going to get better or easier if we wait. In fact, today, costs are rising at an unsustainable rate for those who do have insurance and more and more Americans are losing their insurance every day.

We have been talking about reforming the health care system for a very long time. I go home to my home State of Washington every weekend, and I am asked often now if it is the right time to tackle health care reform. In these difficult and challenging economic times when people are worried about paying their bills, worried about losing their jobs, worried about what is coming around the corner, they ask me if we are biting off more than we can chew. I tell them: This is exactly the time we need to act. Premiums are rising three times faster than wages today. Every day, 14,000 more Americans lose their health insurance. In these already difficult times, I don't want to add losing health insurance to the list of concerns our families have to deal with every day.

We know the current system is unsustainable. Even those people with good coverage today are faced with massive costs and rising premiums. That is why tackling this problem now has to be part of our long-term economic recovery program.

Without health care reform, family budgets are going to continue to be strapped, more Americans are going to lose their care, and we are going to hear more stories like Janet and Kelly. I hope we can put aside the partisan rhetoric, I hope we can put aside the talk of: Slow this down; it is too fast. This issue is imperative, and I urge my colleagues to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

CONCEALED CARRY RECIPROCITY

Mr. BURRIS. Mr. President, I rise today to express my strong opposition to Senator THUNE's amendment regarding concealed carry reciprocity. This legislation ignores the explosion of gun crime plaguing America's cities and putting an unnecessary burden on local law enforcement.

In my home State of Illinois, an entire generation of young people, many of whom live in urban areas, is being decimated with gun violence. On May 10 of 2007, a 16-year-old honor student named Blair Holt was shot to death while riding a Chicago city bus. When the shooter opened fire, Blair was shot while protecting a young girl with whom he was riding. The shooter was also a 16-year-old boy and an admitted member of the Gangster Disciples national street gang. Just the other day, justice was presented to him when he was given 100 years in prison by the judge.

Similar tragic stories have only grown more frequent. In the first 6 months of 2009, Chicago alone logged 202 homicides, 84 percent of whom were

shot to death. In comparison, in the same period of time, we lost 101 troops in Iraq and 99 in Afghanistan.

The people of Chicago deserve better than life in a war zone. Hundreds of Chicago public school students have been shot so far this year. By the end of the school year in June, at least 36 had died.

Over the Fourth of July weekend, while most of us celebrated our Nation's independence, Chicago suffered through an almost unparalleled torrent of gun violence: 63 shootings were tallied, and 11 of them were fatal.

The carnage on Independence Day weekend led the Chicago Tribune to demand on July 10: ''Where is our courage? Where is the indignation over the slaughter of Chicago's children?''

This is far too high a price to pay for inaction. I will say it again: The people of Chicago deserve better than life in a war zone. Students deserve better than being gunned down in the streets after school and parents deserve better than having to raise families in the midst of a bloodbath. We must work vigorously to combat the rampant gun violence in our cities and urban areas.

As a registered gun owner myself, I respect the second amendment and responsible gun ownership. However, I am deeply concerned about the devastating consequences of guns falling into the wrong hands. To this end, I strongly believe we should keep firearms out of the hands of children, terrorists, and criminals, and in solving this problem we need to provide local law enforcement officials with the support they so desperately need.

Concealed carry regulation is an issue best left to cities and States and not the Federal Government. It is our job as Federal legislators to enact measures that strengthen States' law enforcement efforts instead of arbitrarily increasing their burden. A national standard of reciprocity would ignore the challenges local law enforcement struggles with on a daily basis when combating gangs and drug dealers in big cities.

I am not alone in my opposition to the Thune amendment. I join the International Association of Chiefs of Police and State lawmakers around the country in recognizing that this legislation would severely hamper efforts to combat gun crime in our Nation's urban areas.

Mr. President, I ask unanimous consent to have 2 letters from the the mayor of the city of Chicago, Mayor Daley, and the Major Cities Chiefs Association be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE MAYOR,
Chicago, IL, July 17, 2009.

Hon. ROLAND W. BURRIS,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BURRIS: I am writing to express the City of Chicago's strong opposition to Senator Thune's amendment regarding concealed carry reciprocity, and to urge you to vote against this amendment as part of the National Defense Authorization Act for Fiscal Year 2010 (S. 1390).

Although the State of Illinois would not be affected directly by its passage, this amendment runs the possible risk of reinforcing current movements in the Illinois legislature to pass concealed-carry laws, which would greatly set back Chicago's efforts to curtail gun violence. Concealed carry regulation is an issue best left to cities and states, and not the Federal government. A national standard of reciprocity would ignore the challenges local law enforcement struggle with on a daily basis when combating gangs and drug dealers in big cities.

Pasasge of this amendment would limit the ability of states and local governments to protect their citizens with common-sense and community-specific laws and regulations regarding the carrying of hidden handguns. It would promote gun trafficking by making it easier to transport firearms between states without the fear of being apprehended by law enforcement. The bill would also endanger the safety of our police officers by making it more difficult to distinguish between legal and illegal gun possession—ambiguity that would have life or death consequences.

The City of Chicago continues to do all it can to protect our communities from the gun violence of gangs and drug dealers. It is a tireless effort that requires the involvement of the community members, the hard work of local law enforcement and sensible policy decisions made at all levels of government. The Thune amendment would serve as an obstacle to these efforts, and that is why I strongly urge you to oppose this potentially debilitating legislation.

Sincerely,

RICHARD M. DALEY,
Mayor.

MAJOR CITIES CHIEFS ASSOCIATION,
JULY 17, 2009.

Hon. HARRY REID,
Majority Leader, Hart Office Bldg., U.S. Senate, Washington, DC.

Hon. NANCY PELOSI,
Speaker, Cannon Office Bldg., House of Representatives, Washington, DC.

DEAR MAJORITY LEADER REID AND SPEAKER PELOSI: On behalf of the Major Cities Chiefs, I am writing to express our strong opposition to S. 845 and H.R. 1620, the Respecting States Rights and Concealed Carry Reciprocity Act of 2009. Because we are responsible for public safety in the largest jurisdictions in the United States, we recognize that this legislation would be an enormous mistake.

This misguided legislation would undermine efforts by law enforcement agencies across the Nation and thwart measures already enacted by the states. Please know that we stand with the more than 400 Mayors who have objected to this ill-conceived proposal.

An oversimplification of carefully reasoned standards and licensing provisions, the proposed measure would arbitrarily overturn laws which have been tailored to the needs of regions and local communities. Passage of this legislation would be an affront to Federalism as it would force a state to accept permits from other jurisdictions—whether or not the permits comport with the laws of that state.

We are confident that members of Congress will respect the authority of states, counties and cities to adopt their own regulations regarding weapons and will not act with disregard for the many reasonable and prudent laws already in place across the Nation.

Chiefs of Police and Sheriffs call upon you to vote against this dangerous and unconstitutional legislation.

All the best,

WILLIAM J. BRATTON,
Chief of Police, Los Angeles, CA,
President, Major Cities Chiefs' Association.

Mr. BURRIS. Mr. President, as I said earlier, cities in every State face unique challenges that require tailored solutions. This is never truer than with the issue of gun control. It is imperative that States set their own standards for concealed carry permits and are not obligated to honor permits awarded elsewhere with different, potentially less rigorous requirements. We must not tie the hands of State governments regarding their ability to protect and serve their citizens.

I think that this legislation moves our national gun policy in the wrong direction. In their assessment of the recent gun violence, the Tribune opined that ''The tragic loss of brave soldiers killed overseas grabs media headlines and fuels the raging fires of political debate. Meanwhile, in another war right here in our own backyard, the killings continue, almost ignored.''

We cannot ignore this horrific situation any longer. We must not be conned into believing that easier access to firearms will reduce firearm deaths. Rather than making it easier for people to bring concealed weapons into other States, I hope my colleagues will get serious about addressing the urgent problem of gun crime in our cities and among our youth.

I urge my fellow Senators to not only vote against this amendment but to join me in working towards a real solution for this senseless cycle of death.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

CONGRATULATING YOUNGSTOWN, OHIO

Mr. BROWN. Mr. President, I rise to congratulate the community and business leaders of Youngstown, OH, for showing the rest of the Nation what so many of us in Ohio already know: Youngstown is one of the Nation's best places to start a business.

I have held some 140 community roundtables across Ohio's 88 counties at least once since I have been in the Senate, where I have met with educators, students, community and business leaders, and entrepreneurs and workers.

I have held a half dozen roundtables in the Mahoning Valley, including two in Youngstown, and have traveled across towns along the Mahoning River and across its valley.

From the autoworker in Lordstown to the electrician in Warren, to the technology entrepreneur in Youngstown, to the small business owner in Salem, I am impressed by their unwavering commitment to rebuilding this region.

Youngstown remains a great city in the face of many challenges, and its

dedicated and talented workforce is driving today's innovation and ingenuity.

Each time I visit Youngstown, I learn something new—from Mayor Williams, the fine, aggressive, very bright, young mayor of Youngstown, to Chamber of Commerce leader Tom Humphries, to dozens of teachers, small business people, workers, and citizens.

It is easy to see why Entrepreneur Magazine lists Youngstown as one of the top 10 U.S. cities to start a business. On the cover it says: ''Youngstown, Ohio, anyone?''

In their August issue, Entrepreneur Magazine describes Youngstown as a ''dreamer,'' where technology innovation is driving job growth and sustaining economic activity.

Bold plans and visionary leadership have set the stage for sustained economic growth. Youngstown's healthy dose of all-American grit and hard work will turn economic potential into economic reality, driving regional economic expansion that can strengthen Ohio's middle class.

It takes what Entrepreneur Magazine called a ''concept revolutionary enough to help ignite a renaissance in this small city.''

It takes a community that understands a transformation must take place from within—from the educators to innovators, from community activists to the industry leaders. Faced with a choice, it takes the foresight to invest in the future and not dwell on the sometimes troubled past.

Today, we are seeing the results of a decade-long process of renewal and rebirth for Youngstown, in Warren, and the entire Mahoning Valley.

More than a year ago, I made my first trip to the Youngstown Business Incubator, which is an example of community and business leaders nurturing startup companies that can strengthen the regional economy.

Nurtured in the Youngstown Business Incubator in 2002, Turning Technologies, for example, has become one of the fastest growing technology companies in the Nation, according to Entrepreneur Magazine.

This is no accident. Mike Broderick, from Turning Technologies, and other emerging businesses, say they have relied on the affordable startup costs, accessible resources, the transportation network that criss-crosses western Pennsylvania and Ohio, and the community involvement that allowed businesses to thrive.

An important part of Youngstown's favorable business climate is access to talented workers and students. Kent State's Trumbull campus is a model for workforce training among Ohio's colleges and universities. Their educators are training a legion of highly skilled workers for Ohio's emerging high-tech industry.

But more must be done to close the gap between high unemployment in that part of Ohio. My whole State is still afflicted by high unemployment and this terrible recession. More must be done to close the gap between the high unemployment and the shortage of skilled workers and emerging industries.

Congressman TIM RYAN, with whom the Presiding Officer and I both served in the House of Representatives, and who represents Youngstown in the House, and I recently introduced the Strengthening Employment Clusters to Organize Regional Success, or SECTORS Act.

SECTORS would help allow businesses, workforce development boards, labor unions, and community colleges to connect skilled workers with workforce and community needs. We will see that with Youngstown State University in Youngstown, and with the Trumbull County branch of Kent State University.

SECTORS is not only a jobs skill bill, but an economic development bill. It is only one part of the citywide strategy to harness the talented workforce and students.

Youngstown State University is training engineers and contributing to workforce needs of an emerging advanced materials sector, involving advanced chemical and composite engineering and nanotechnology. I have seen some of this technology in the Mahoning Valley, and it is ready to take off.

YSU's science, technology, engineering, and math program, or STEM, teaches students the critical skills in the fields of advanced sciences, information technology, and engineering.

If our students succeed in the 21st century global economy, we must invest in our young people, who will create the businesses and opportunities for future growth.

We must also ensure that our communities are part of economic revival around the State.

I met with the Mahoning Valley Organizing Collaborative at one of my roundtables. We sat for an hour and a half in the basement of a church, with 15 community activists, who have a focus you wouldn't believe. This is a collective effort of neighborhood groups, churches, and labor unions. It is another example of citizens taking ownership of their community. It is revitalizing neighborhoods, surveying land to determine future economic use, and cleaning up crime-ridden neighborhoods. Ordinary citizens are organizing to make a difference, and it is working.

Yet another example of strategic economic development is the Youngstown 2010 Citywide Plan, which aims to revitalize the city of Youngstown with carefully planned economic development and urban planning.

As Ohio cities experience population loss, Youngstown's efforts to modernize infrastructure to serve current population needs is a harbinger of economic growth in the State.

All of these efforts are part of a collective strategy by workers, entrepreneurs, educators, and elected officials to tap into the region's rich resources and innovative spirit. That is why Entrepreneur Magazine wrote about Youngstown, calling it the ''dreamer.'' Out of these 10 cities, the other 9 are significantly larger than Youngstown, but none could equal Youngstown in hope, focus, and energy.

I will read some things they said:

> In the last decade, something special happened in this northeast Ohio city. A new generation is envisioning things we wouldn't have talked about 10 years ago. ''Let's clean the slate and start over again'' is the radical transformation going on in Youngstown right now.

Mike Broderick, of Turning Technologies, said:

> I believe in most places we wouldn't have been able to expand with the speed we did. The affordability here really helped fuel our growth. I found Youngstown to be a brilliant place for a startup.

It has been my pleasure to work with Congressman RYAN, Mayor Williams, the Youngstown Business Incubator, Turning Technologies, and all of the community activists who are working hard to create new opportunities for a better and stronger Youngstown.

Ohio's dedicated workforce and hard-working community leaders are leading examples of how we can turn around our economy, create new jobs, and how we can, across my State, and across the Mahoning Valley in Ohio, and across this country, rebuild our middle class.

Mr. President, before yielding the floor, I add that all of us who do this work and are, frankly, blessed enough to get to serve in the Senate spend much of our time away from home or our families are back, in my case, in Ohio, or in Washington. Either way, we are away from families more than we would like. I would like to, because today is my wife's birthday, wish her a happy birthday, if she is home watching this. If she is not, I will tell her later. I could not be with her today in Ohio. I look forward to coming home this weekend.

I yield the floor.

REMEMBERING MASON RUDD

Mr. MCCONNELL. Mr. President, I rise today with sadness to honor the life of Mr. Mason Rudd, a good friend who died on July 5, 2009, at the age of 90. He was loved by many in my hometown of Louisville, KY, and he will be missed.

Mason will be remembered as an entrepreneur, philanthropist, and family man who did so much to make his adopted hometown a better place.

His American dream began at the University of Minnesota, where he funded his college education with help from a tennis scholarship, participation in ROTC, and by selling doughnuts. In 1939, he graduated with a degree in geology and petroleum engineering. After college, his service in World War II led him to believe that he survived the war for one reason—to

help others achieve and live better lives. And this he did.

Mr. Rudd spent a few years working as an engineer for Shell Oil and then selling fire engines in Iowa until 1952 when he moved to Louisville. There he established Rudd Equipment Company, which distributed heavy construction equipment. The company he built brought him a large fortune which would serve him well when he undertook his many altruistic pursuits.

Mason grew to love the city and especially the local university—the University of Louisville. He contributed $1.4 million to the creation of a neurology professorship at the University of Louisville after his first wife Mary suffered a fatal stroke. His help facilitated the $3.6 million Bass-Rudd Tennis Center at the University of Louisville as well as the endowment for the Rudd Program for Young Artists at the Kentucky Opera to train young singers.

However, more important than the money, Mr. Rudd contributed invaluable time and effort to the causes of health care and education.

Thirty years ago, this passion was clear to me when I served as Jefferson County's judge-executive and it was my responsibility to appoint someone to the county's board of health. I reappointed him to the board, just as those serving before me had and those after me did.

While serving on this board as well as in leadership positions at Louisville General Hospitals and Louisville's Jewish Hospital, his efforts provided everyone in the city with a healthier, safer life. His fellow members credit him with creating lead poisoning education programs, a hazardous-materials task force in the health department, a mandate on sewage treatment, and primary care clinics for the uninsured.

His efforts also extended to helping the Louisville Free Library Foundation during his 16 years on the board there. Because of him the library's book endowment is stronger and the children's reading program continues to grow. Most notably, in the year 2000 library fundraising efforts under his leadership made it possible to purchase computers for the library.

Mr. Rudd leaves behind his wife Peggy: his daughter Betsy; and his son Michael. The life he led in his 90 years stands out as an example of service to his community and country which all Americans should honor and strive to achieve. He will be missed.

HONORING OUR ARMED FORCES

COMMAND MASTER CHIEF PETTY OFFICER JEFFREY JAMES GARBER

Mr. NELSON of Nebraska. Mr. President, I rise today to honor Navy Command Master Chief Jeffrey James Garber who passed away aboard the USS *Eisenhower* on June 20, 2009.

Originally from Hemingford, NE, Master Chief Garber enlisted in the Navy in December 1983. His career was an impressive one. At sea his assignments included time aboard the USS *Worden*, USS *Nimitz*, USS *Portland*, and Strike Fighter Squadron 34; and he had been assigned to the USS *Eisenhower* since June 2008. The *Eisenhower* is currently operating in the Arabian Sea in support of Operation Enduring Freedom and maritime security operations.

Master Chief Garber's military awards include the Meritorious Service Medal: Navy/Marine Corps Commendation Medal; Navy/Marine Corps Achievement Medal, six; Meritorious Unit Commendation; Good Conduct Medal, five; Navy Expeditionary Medal; National Defense Service Medal, two; Armed Forces Expeditionary Medal, Southwest Asia Service Medal, two; Sea Service Deployment Ribbon, six; And Navy Recruiting Service Ribbon.

On June 20, Command Master Chief Jeffrey James Garber was found unresponsive in a berthing space aboard the carrier, USS *Dwight D. Eisenhower*. When he was found unresponsive in his stateroom at approximately 8:15 A.M. local time, a medical emergency was declared; and medical personnel were on the scene within minutes. Sadly, all efforts to revive him were unsuccessful, and Master Chief Garber was pronounced dead of natural causes at 8:23 A.M. He was 43 years old. Command Master Chief Garber has been posthumously awarded the Legion of Merit medal, recognizing his accomplishments as Command Master Chief and his 24 years of service to our Nation.

Command Master Chief Garber leaves behind his wife Amy, (Vogt) Garber, and his three children, Tayler, Paige and Josh, all of Virginia Beach; his parents Larry and JoAnn Kuester of York, NE; and his brothers Joel and Jon. Throughout his career, those who knew him, admired Master Chief Garber's professionalism, but also, genuinely liked him. He will forever be remembered by his family and friends as not only the epitome of what a command master chief should be, but primarily a loving husband, father, and son. I join all Nebraskans today in mourning the loss of Command Master Chief Garber and offering our deepest condolences to his family.

ADDITIONAL STATEMENTS

125TH ANNIVERSARY OF NORTHWOOD, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I am pleased today to recognize a community in North Dakota that is celebrating its 125th anniversary. On July 23–26, the residents of Northwood will gather to celebrate their community's history and founding.

Founded in 1884, Northwood is located in Northeastern ND, and was named after Northwood, IA, a common starting point for pioneers settling in the Dakota Territory. In its early years, the town grew rapidly, and continued to expand over the next century. It was honored in 1993 by the North Dakota League of Cities as City of the Year.

In 2007, Northwood was devastated by an EF4 tornado. Not a single building was left untouched by this monstrous storm that wreaked havoc on everything in its path. Homes and businesses were destroyed, yet amidst all of the destruction, this community banded together, and with the assistance of the federal government, it has successfully rebuilt.

Today, Northwood is a friendly and welcoming community that includes a nine-hole golf course, a swimming pool, a strong business community, and a high quality education system. Additionally, the town remains true to its agricultural roots through its farming population.

The central point of Northwood's 125th anniversary celebration will be the dedication of the new Northwood Public School and the Veteran's Memorial. Other activities, to name a few, include a community picnic, a tractor pull, a teen dance, karaoke, a 5K walk and run, a craft show, a kiddie parade, and a 3-on-3 basketball tournament.

I ask the Senate to join me in congratulating Northwood, ND, and its residents on their first 125 years and in wishing them well in the future. By honoring Northwood and all other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Northwood that have helped shape this country into what it is today, which is why this fine community is deserving of our recognition.

Northwood has a proud past and a bright future.•

COMMENDING ABIGAIL KIMBELL

• Mr. JOHANNS. Mr. President, today I pay tribute to a leader in American forestry.

In February of 2007, Abigail Kimbell became the 16th Chief of the U.S. Forest Service. She was the first female in this role, a job she held until July 5, 2009. During those 2½ years, she served with distinction and accomplished much for the forests, grasslands, and people of the United States.

Gail is credited with renewing the emphasis behind the Forest Service's mission of ''Caring for the Land and Serving People'' and reconnecting programs and functions to that mission. She improved firefighter safety and fire suppression cost containment. Gail showed great vision and leadership, pressing the agency to continually strive to meet a standard of excellence in its operations, both internally and in service to the public.

Gail emphasized the importance of quality water to the environment and our communities. She directed the agency's investment in the education of children and youth, particularly those in underrepresented communities, to enhance their connection to the natural world.

Gail's numerous and significant contributions span more than three decades of public service. As a Forest Supervisor, she focused on community collaboration to build understanding and support for an economically and environmentally viable long-term timber sale program in Alaska. She also made bold land management decisions to ensure forests remained healthy by reducing hazardous fuels.

As associate deputy chief for the national forest system, Gail was central to the development of the Healthy Forests Initiative, including the Healthy Forests Restoration Act. She also worked to improve interagency cooperation.

As regional forester in the northern region, she oversaw the development and implementation of community wildfire protection plans in Idaho, Montana, and North Dakota. She also played a leading role in the development of plans to delist the grizzly bear in the Yellowstone Ecosystem. Gail pioneered the implementation of improved forest planning with unprecedented public collaboration and ownership.

On July 31, 2009, Gail Kimbell will be retiring from the Forest Service with 35-plus years of service to that agency and our country. Her dedication to the Forest Service mission ''to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations'' will be forever appreciated by the people of the United States.●

MESSAGES FROM THE HOUSE

At 2:56 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2245. An act to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

At 4:35 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 164. Concurrent resolution recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture.

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–2352. A communication from the Deputy Secretary of Defense, transmitting the report of (6) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2353. A communication from the Deputy Secretary of Defense, transmitting the report of (10) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2354. A communication from the Deputy Secretary of Defense, transmitting the report of (7) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2355. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquistion Regulation Supplement; Restriction on Acquisition of Specialty Metals'' ((RIN0750–AF95) (DFARS Case 2008–D003)) received in the Office of the President of the Senate on July 16, 2009; to the Committee on Armed Services.

EC–2356. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Acquisition Regulation Supplement; Requirements Applicable to Undefinitized Contract Actions'' ((RIN0750–AG29) (DFARS Case 2008–D029)) received in the Office of the President of the Senate on July 17, 2009; to the Committee on Armed Services.

EC–2357. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–2358. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Qualified Plug-in Electric Vehicle Credit Under Section 30'' (Notice 2009–58) received in the Office of the President of the Senate on July 14, 2009; to the Committee on Finance.

EC–2359. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Industry Director's Directive No. 2 on Casualty Loss IRC 165'' (LMSB–4–0309–010) received in the Office of the President of the Senate on July 14, 2009; to the Committee on Finance.

EC–2360. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Industry Director's Directive No. 4 on Mixed Service Costs Phase 1'' (LMSB–4–0509–022) received in the Office of the President of the Senate on July 20, 2009; to the Committee on Finance.

EC–2361. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–123, ''Processing Sales Tax Clarification Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2362. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–124, ''National Law Enforcement Museum Sales and Use Tax Credit Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2363. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–125, ''Records Access Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2364. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–126, ''Raze Permit Community Notification Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2365. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–127, ''Citizen-Service Programs Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2366. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–128, ''Child Development Center Directors Relocation Fairness Clarification Temporary Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2367. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–133, ''Transportation Infrastructure Improvements GARVEE Bond Financing Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2368. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–134, ''Anacostia River Clean Up and Protection Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2369. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–135, ''Clean and Affordable Energy Fund Balance Temporary Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2370. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–136, ''Neighborhood Development Tax Deferral Temporary Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2371. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's report on Federal agencies' use of the physicians comparability allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs .

EC–2372. A communication from the Senior Official, Office of Inspector General, Federal Housing Finance Agency, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2008 through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–2373. A communication from the Inspector General, Department of Commerce, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2008 through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–2374. 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; Summer 2009 Fireworks, Coastal Massachusetts'' ((RIN1625–AA08, 1625–AA00)(Docket No. USG–2009–0422)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2375. 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; Fireworks Displays in Boothbay Harbor, South Gardiner, and Woolwich, Maine'' ((RIN1625–AA00)(Docket No. USG–2009–0526)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2376. 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; San Clemente Island Northwest Harbor August and September Training; Northwest Harbor, San Clemente Island, California'' ((RIN1625–AA00)(Docket No. USG–2009–0522)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2377. 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; Southside Summer Fireworks, St. Clair River, Port Huron, Michigan'' ((RIN1625–AA00)(Docket No. USG–2009–0478)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2378. 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; Sigma Gamma Fireworks, Lake St. Clair, Grosse Pointe Farms, Michigan'' ((RIN1625–AA00)(Docket No. USG–2009–0477)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2379. 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; Thunder on Niagara, Niagara River, North Tonawanda, New York'' ((RIN1625–AA00)(Docket No. USG–2009–0110)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2380. 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; F/V PATRIOT, Massachusetts Bay, Massachusetts'' ((RIN1625–AA00)(Docket No. USG–2009–0512)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2381. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Herbert C. Bonner Bridge, Oregon Inlet, North Carolina'' ((RIN1625–AA11)(Docket No. USG–2009–0489)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2382. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; Potomac River, Between Maryland and Virginia'' ((RIN1625–AA09)(Docket No. USG–2008–1216)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2383. 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. USG–2009–0045)) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2384. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Closure of the Eastern United States/Canada Area'' (RIN0648–XQ01) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2385. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Closed Area II Scallop Access Area to Scallop Vessels'' (RIN0648–XQ05) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2386. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Closure of the 2009 Deepwater Grouper Commercial Fishery'' (RIN0648–XP56) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2387. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–AX96) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2388. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Spiny Dogfish; Framework Adjustment 2'' (RIN0648–AX56) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2389. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2009'' (RIN0648–AX69) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2390. A communication from the Acting Director 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; Greenland Turbot, Arrowtooth Flounder, and Sablefish by Vessels Participating in the Amendment 80 Limited Access Fishery in Bering Sea and Aleutian Islands Management Area'' (RIN0648–XP97) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2391. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Closure of the Pacific Whiting Primary Fishery for the Mothership Sector'' (RIN0648–XP82) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2392. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 16'' (RIN0648–AW64) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2393. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications Modification'' (RIN0648–XO74) received in the Office of the President of the Senate on July 15, 2009; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES—THURSDAY, JUNE 25, 2009

The following material was omitted from the CONGRESSIONAL RECORD of June 25, 2009 on page S7110:

Financial Campaign Contributions Report for Daniel M. Rooney:

Nominee: Daniel Milton Rooney.

Post: Ireland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributor, date, recipient, amount:

Daniel Milton Rooney: 5/24/2008, Gridiron-PAC, $5,000; 10/21/2008, Committee for Change (Joint FR Committee), $30,000.

Patricia Regan Rooney: 6/15/2007, Tom Rooney, $2,300; 6/27/2008, DCCC, $5,000; 8/03/2005, Patrick Murphy, $2,000; 9/29/2005, Patrick Murphy, $1,109; 4/21/2008, Barack Obama, $500; 11/19/2007, John Murtha, $2,000; 8/14/2008, John Murtha, $2,000; 5/18/2005, John Murtha, $1,500; 7/07/2006, John Murtha, $2,000; 6/28/2006, DCCC, $1,500; 12/28/2007, DCCC, $2,000; 9/23/2008, Patrick Murphy, $250; 10/21/2008, Committee for Change (Joint FR Committee), $30,000.

Arthur Joseph Rooney II: 9/07/2006, Melissa Hart, $500; 4/13/2007, Arlen Specter, $1,000; 6/20/2008, DCCC, $2,000; 8/06/2005, Patrick Murphy, $500; 10/27/2006, Mike Doyle, $500; 11/01/2005, John Murtha, $1,000; 11/19/2007, John Murtha, $2,000; 8/25/2008, John Murtha, $2,000; 5/02/2008, Tom Rooney, $1,700; 5/02/2008, Tom

Rooney, ($1,700); 5/02/2008, Tom Rooney, $2,000; 6/03/2005, Tim Murphy, $1,000.

Patricia Rooney Gerrero: 4/11/2008, Hillary Clinton, $500.

Rita Rooney Conway: 8/14/2008, 07/31/2008, John Murtha, Obama Victory Fund (Joint FR Committee), $2,000; $5,000; 6/30/2008, Obama for America, $250; 02/12/2008, Hillary Clinton for President, $1,000; 10/14/2005, DSCC, $500; 05/30/2006, DSCC, $250; 10/23/2008, Committee for Change, $10,000; 06/30/2006, DCCC, $2,000; 08/31/2007, Obama for America, $250.

Daniel Michael Rooney: 05/12/2005, North Side Good Government Committee, $3000; 3/26/2007, Tom Rooney, $400; 3/26/2007, Tom Rooney, $2,300; 7/22/2008, Tom Rooney, $1,900; 9/15/2008, Florida 16 Victory Trust (Joint FR Committee), $5,000.

John Thomas Rooney: 11/15/2005, George W. Bush, $1,000; 8/31/2007, Tom Rooney, $2,300.

James Emmett Rooney: 12/20/2005, Mike Doyle, $500; 01/24/2008, Arlen Specter, $500; 03/12/2007, Majority PAC, $1,000; 3/23/2006, Robert Casey, $2,100; 3/23/2006, Robert Casey, $2,100; 11/29/2007, Robert Casey, $1,000; 3/04/2008, William Shuster, $500; 4/25/2008, Jason Altmire, $500; 10/29/2008, Jason Altmire, $2,300; 5/18/2005, John Murtha, $1,000; 9/20/2005, John Murtha, $1,000; 7/07/2006, John Murtha, $2,000; 6/28/2006, DCCC, $1,000; 11/19/2007, John Murtha, $2,000; 10/11/2005, Prosperity Helps Inspire Liberty PAC, $1,000; 6/08/2008, Hilary Clinton, $1,000.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

*Polly Trottenberg, of Maryland, to be an Assistant Secretary of Transportation.

*Deborah A. P. Hersman, of Virginia, to be Chairman of the National Transportation Safety Board for a term of two years.

*Deborah A. P. Hersman, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2013.

*Richard A. Lidinsky, Jr., of Maryland, to be a Federal Maritime Commissioner for the term expiring June 30, 2012.

*Meredith Attwell Baker, of Virginia, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2011.

*Mignon L. Clyburn, of South Carolina, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2007.

By Mr. KERRY for the Committee on Foreign Relations.

*Anne Elizabeth Derse, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lithuania.

Nominee: Anne Elizabeth Derse.

Post: Lithuania.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses None.
4. Parents: None, deceased.
5. Grandparents: None, deceased.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: Jane Quasarano (sister), None.

Paul Quasarano (brother-in-law): (A good faith effort was made to obtain contribution information from Mr. Quasarano. The following is what is available:) National Beer Wholesalers Association (NBWA) PAC: Contributions in 2005, 2006, 2007, 2008, and 2009; Michigan Beer and Wine Wholesalers Association (MBWWA) PAC: Contributions in 2005, 2006, 2007 and $3,000 in 2008 and $3,000 in 2009; Michigan Senator Martha Scott: $1,500 in 2008 and $1,500 in 2009; Michigan Lt. Governor John Cherry: $5,000 in 2008 and $5,000 in 2009; Magistrate O'Brien; Michigan State Representative Ed Gaffney; Michigan Senator Mary Waters; Michigan Senator Steve Tobocman.

Lisa Leifield (sister): None.

Daniel Leifield (brother-in-law): None.

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*Carlos Pascual, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Nominee: Carlos Pascual.

Post: Ambassador to Mexico.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee.

1. Self: $1,000, September 2008, Barack Obama; $250, August 2008, Hillary Clinton.
2. Spouse: $250, April 2008, DNC.
3. Children and Spouses: N/A.
4. Parents: None.

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*Kenneth H. Merten, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

NOMINEE: Kenneth H. Merten.

Port-Au-Prince, Haiti.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: None.
4. Parents: None.
5. Grandparents: None.
6. Brothers and Spouses: None.
7. Sisters and Spouses: None.

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*Donald Sternoff Beyer, Jr., of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Switzerland, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Liechtenstein.

Nominee: Donald Sternoff Beyer, Jr.

Post: Chief of Mission to the Swiss Confederation and the Principality of Liechtenstein.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them in the past four years. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: Obama for America, $4,600, 2007; Judy Feder for Congress, $2,000, 2006; Judy Feder for Congress, $1,000, 2008; Al Weed for Congress, $2,000, 2006; John Tester for U.S. Senate, $1,000, 2006; Tom Harkin for U.S. Senate, $2,280, 2007; Leonard Boswell for Congress, $2,100, 2006; Tom Perriello for Congress, $2,300, 2008; Dan Seals for Congress, $1,000, 2008; Paul Hodes for Congress, $2,000, 2007; Dan Seals for Congress, $1,000, 2006; Jared Polis for Congress, $500, 2008; Eighth District Democratic Committee, Virginia Democratic Party, $250, 2006; Allan Lichtman for Senate, $250, 2006; Democratic Senatorial Campaign Committee, $5,000, 2007; Fairfax County Democratic Committee, $1,000, 2008; Philip Forgit for Congress, $1,000, 2007; Peter Welch for Congress, $1,250, 2005; Peter Welch for Congress, $1,000, 2006; Democratic Senatorial Campaign Committee, $500, 2006; Alexandria Democratic Committee, $250, 2005; Mary Landrieu for Senate, $2,300, 2007; John Kerry for U.S. Senate, $1,000, 2007; Harris Miller for Senate, $2,100, 2006; Forward Together PAC, $5,000, 2005; Democratic Party of Virginia, $2,500, 2007; Born Fighting PAC, $2,500, 2008; Leslie Byrne for Congress, $2,300, 2008; Mark Udall for Senate, $2,300, 2008; Mark Warner for Senate, $4,600, 2007; Jim Webb for U.S. Senate, $2,100, 2006; Bob Casey for U.S. Senate, $2,000, 2005; Bob Casey for U.S. Senate, $900, 2006; Ethan Berkowitz for Congress, $1,000, 2008; Democratic National Committee, $28,500, 2008 (Obama Victory Fund); Gerry Connelly for Congress, $2,300, 2008; Gerry Connelly for Congress, $1,000, 2009; Win Virginia 2008, $3,256, 2008; Democratic National Committee, $26,700, 2005; Moving Virginia Forward, $20,000, 2007; Kaine for Governor, $19,600, 2005; Deeds for Attorney General, $10,000, 2005; Byrne for Lieutenant Governor, $8,600, 2005; Commonwealth Coalition, $5,000, 2006; Virginia Senate Causus, $5,000, 2007.

2. Spouse: Megan C. Beyer: Obama for America, $4,600, 2007; Mark Warner for Senate, $4,600, 2007; Democratic National Committee, $28,500, 2008 (Obama Victory Fund); Harris Miller for Senate, $2,100, 2006, Democratic Senatorial Campaign Committee, $10,000, 2006; Forward Together PAC, $5,000, 2005; Ronnie Musgrove for U.S. Senate $1,000, 2008; Leslie Byrne for U.S. Congress, $1,000, 2008; Gerry Connelly for U.S. Congress, $1,000, 2008; Mary Landrieu for Senate, $1,000, 2008; Win Virginia 2008, $3,256, 2008; Virginia Senate 2006, $10,000, 2006; Democratic National Committee, $5,000, 2005; Democratic National Committee, $500, 2006; Democratic National Committee, $5,000, 2007.

3. Children and Spouses: Donald S. Beyer III: No contributions.

Stephanie A. S. Beyer: $2,300, 3/2007, Obama for America.

Clara S. Beyer: No contributions.

Grace S. Beyer: No contributions.

4. Parents: Donald S. Beyer, Sr.: No contributions.

Nancy M. Beyer: (deceased 1999).

5. Grandparents: Otto S. Beyer Jr.: (deceased 1948).

Clara M. Beyer: (deceased 1990).

Beatrice J. McDonald: (deceased 1974).

Henry Stewart McDonald Jr.: (deceased 1985).

6. Brothers Spouses: Michael S. Beyer: $2,300, 8/17/07, Obama for America; $250, 5/14/07, Whipple for Va Senate.

June C. Beyer, spouse: $250, 8/6/08, Obama for America; $250, 7/21/08, Obama for America.

7. Sisters and Spouses: Katherine S. Beyer (single): No contributions.

Sharon S. Beyer (divorced): No contributions.

Marylee B. Hill: $250, 9/27/06, Feder for Congress; $250, 6/14/07, Obama for America; $2,300, 8/17/07, Obama for America; $500, 10/3/07, Hudgins for Fairfax Board; $250, 3/4/07, Hudgins for Fairfax Board; $600, 12/29/05, Kaine Inaugural Committee; $350, 5/30/07, Vanderhye for Va Delegate; $250, 7/2/08, Petersen for Va Senate; $150, 9/24/07, Moving Virginia Forward.

Wayne Hill, Spouse: No contributions.

Sandra S. Beyer (divorced): No contributions.

*John R. Nay, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

Nominee: John R. Nay.

Post: U.S. Embassy Paramaribo, Suriname.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To be best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date and donee:

1. Self: $0—I have never made a political donation.

2. Spouse: $0—She has never made a political donation.

3. Children and Spouses: Janelle V.A. (Nay) Bennett: $0—has never made a political donation; Jamison R. Bennett: $0—has never made a political donation; Jaclyn E.A. Nay: $0—has never made a political donation; Jordan R. Nay: $0—has never made a political donation.

4. Parents: Jack R. Nay: $50, Spring 2006, Joe Schwartz (R–Michigan); Geraldine G. Nay: $0, (made only one political donation in her lifetime—$30 to the Democratic Nat'l Committee in March 1996).

5. Grandparents: Decreased.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Karen Y. Sefchick: $0—has never made a political donation.

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*Vinai K. Thummalapally, of Colorado, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

Nominee: Vinai Kumar Thummalapally.

Post: Chief of Mission, Belize.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $2,200, 6/07, Obama for America; $9,000, 9/08, Obama Victory Fund; $500, 9/08, Madia for U.S. Congress; $500, 7/08, Hal Bidlack for Congress.

2. Spouse: Barbara: $2,300, 6/07, Obama for America; $100, 10/08, Josh Segall for Congress (AL); $500, 9/08, Obama Victory Fund; $500, 9/08, Obama for America; $500, 8/08, Udall for Colorado, US Senate; $300, 9/08, Udall for Colorado, US Senate; $1,000, 1/09, Ritter for Governor, Colorado; $1,000, 3/09, Bennet for U.S. Senate; $25, 3/09, Organizing for America.

3. Children: Vishal: $2,500, 6/07, Obama for America; $1,800, 6/07, Obama for America; $1,000, 3/09, Bennet for U.S. Senate.

Sharanya: $2,275, 6/07, Obama for America.

4. Parents: Dharma R. Thummalapalli: None.

Padmaja Thummalapally: None.

5. Grandparents: (deceased): None.

6. Brother and Spouse: Ajay K. Thummalapally: None.

Vilasini Reddy: None.

7a. Sisters and Spouses: Deepika Rao: None.

Sagar Rao: None.

7b. Rasika G. Reddy: $2,300, 6/30/07, Obama for America; $2,300, 7/17/08, Obama Victory Fund; $2,300, 7/31/08, Obama for America; $2,300 10/01/08, Madia for U.S. Congress.

Girish V. Reddy: $2,300, 6/30/07, Obama for America; $1,000, 7/31/08, Obama Victory Fund; $1,000, 7/31/08, Obama Victory Fund; $28,500, 10/02/08, Obama Victory Fund; $2,300, 10/16/08, Obama for America.

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*Nicole A. Avant, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Commonwealth of The Bahamas.

Nominee: Nicole Alexandra Avant.

Post: United States Ambassador to the Bahamas.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: $1,000, 11/02/06, Music Row Democrats Federal PAC Inc.; $2,300, 03/31/07, Obama For America; $2,300, 03/31/07, Obama For America; −$2,300, 04/26/07, Obama For America; $2,300, 05/24/07, Obama For America; −$2,300, 05/24/07, Obama For America; $2,300, 05/24/07, Obama For America; −$2,300, 10/31/07, Obama For America; $500, 06/14/07, John Edwards For President; $500, 07/31/08, Hillary Clinton For President; $1,000, 10/21/08, Committee For Change (Joint Fundraiser Contribution); $1,000, 10/27/08, Nebraskans For Kleeb.

2. Spouse: None.

3. Children and Spouses: None.

4. Parents: Clarence Avant (father): 2005/2006, $1,000, 10/16/06, Democratic Senatorial Campaign Committee; $1,000, 03/22/06, Friends Of Rahm Emanuel; $2,100, 09/30/06, Tennessee Senate 2006 (Joint Fundraising Contribution); $500, 06/30/05, LA PAC; $1,000, 10/24/05, Berman For Congress; $1,200, 07/14/06, Harold Ford Jr. For Tennessee; $900, 02/27/06, Harold Ford Jr. For Tennessee; $2,000, 08/20/05, Harold Ford Jr. For Tennessee; $1,000, 12/15/05, Cantwell 2012; $1,000, 01/12/06, Mfume For US Senate; $1,000, 06/05/06, Mfume For US Senate; $1,100, 08/16/06, Mfume For US Senate; $500, 04/01/06, Schiff For Congress; $1,000, 11/01/05, Schiff For Congress; $5,000, 05/20/05, Hopefund, Inc.; $500, 11/01/06, Mejias For Congress; $500, 09/30/06, Mejias For Congress; $1,000, 09/26/05, Friends Of Patrick J. Kennedy Inc.; $500, 04/18/06, Barbara Lee For Congress; $1,000, 05/01/05, Barbara Lee For Congress; $1,000, 06/26/06, Mary Bono Committee; $500, 02/12/06, Hackett For Senate; $1,000, 03/14/06, Carter For Senate Committee; $500, 05/30/06, Friends Of Tammy Duckworth; $2,000, 08/25/05, Citizens For Waters; $1,000, 03/23/06, Feinstein For Senate; $250, 03/24/06, Committee To Re-Elect Loretta Sanchez; $250, 11/07/05, Committee To Re-Elect Loretta Sanchez; $500, 06/22/06, Klobuchar For Minnesota; $500, 04/25/05, Bill Nelson For US Senate; $500, 03/31/06, Bill Nelson For US Senate; $400, 10/20/05, Friends Of Hillary; $1,000, 06/14/05, Friends Of Hillary; $4,200, 04/04/06, Friends of Hillary; $1,000, 07/11/05, Friends Of Hillary; −$3,500, 05/02/06, Friends Of Hillary; $2,500, 10/19/06, Hill PAC; $500, 07/25/06, Lawless For Congress; $500, 03/19/06, Jesse Jackson Jr. For Congress; $500, 12/03/05, Jesse Jackson Jr. For Congress; $1,900, 12/15/05, Kennedy For Senate 2012; $2,100, 12/15/05, Kennedy For Senate 2012; $1,000, 11/04/05, Steele For Maryland Inc.; $1,000, 02/21/06, DNC Services Corporation/Democratic National Committee; $1,000, 11/02/06, DNC Services Corporation/Democratic National Committee; 2007/2008, $1,000, 08/31/07, Democratic Congressional Campaign Committee; $2,000, 01/23/08, Democratic Congressional Campaign Committee; $1,000, 10/10/07, Friends Of Rahm Emanuel; $500, 07/14/08, Loebsack For Congress; $500, 09/30/07, John Hall For Congress; $1,000, 05/11/07, Richardson For President Inc.; $1,000, 11/23/07, Friends Of Mark Warner; $2,300, 08/28/08, Friends Of Hillary; $5,000, 07/29/08, Hill PAC; $2,300, 07/18/08, Vernon Jones For Georgia; $500, 07/10/07, Richardson For Congress; $250, 06/25/07, Richardson For Congress; $500, 08/08/07, Richardson For Congress; $500, 05/19/08, Alaskans For Begich; $750, 06/18/08, Citizens For Waters; $1,000, 07/21/07, Citizens For Waters; $500, 10/15/08, Committee To Re-Elect Loretta Sanchez; $500, 11/09/07, Committee To Re-Elect Loretta Sanchez; $1,000, 09/16/08, Democrats Win Seats (DWS PAC); $1,000, 09/28/07, Friends Of Senator Carl Levin; $1,000, 03/01/07, Friends Of Patrick J. Kennedy Inc.; $500, 09/06/07, Barbara Lee For Congress; $1,000, 03/30/08, Barbara Lee For Congress; $250, 09/30/07, Mary Bono Mack Committee; $500, 09/17/08, Diane E. Watson For Congress; $500, 11/14/07, Diane E. Watson For Congress; $2,300, 03/28/07, Hillary Clinton For President; $2,300, 05/09/07, Hillary Clinton For President; $1,000, 06/20/08, Powers For Congress; $2,300, 10/31/07, Friends Of Barbara Boxer; $2,300, 10/31/07, Friends Of Barbara Boxer; $500, 03/20/08, Jesse Jackson Jr. For Congress; $2,500, 07/16/08, Rangel Victory Fund (Joint Fundraising Contribution); $2,300, 10/27/08, David Scott For Congress; $500, 08/27/08, Joe Garcia For Congress; $1,000, 03/13/07, John Edwards For President; $1,000, 03/20/08, Al Franken For Senate; $500, 07/07/08, Congressman Waxman Campaign Committee; $1,000, 08/16/07, LA PAC; $1,000, 11/20/07, Berman For Congress; $300, 06/28/08, Committee To Re-Elect Ed Towns; $2,000, 06/28/08, Committee To Re-Elect Ed Towns; −$400, 04/29/08, Friends Of Jim Clyburn; $300, 09/24/07, Friends Of Jim Clyburn; $700, 09/24/07, Friends Of Jim Clyburn; $2,000, 06/14/07, Friends Of Jim Clyburn; $2,300, 05/02/07, Rangel For Congress; $1,000, 08/20/07, Conyers for Congress; $2,500, 08/02/08, Conyers For Congress; $−1,200, 08/02/08,Conyers For Congress; $1,200, 08/02/08,Conyers For Congress; $5,000, 09/19/08, Obama Victory Fund (Joint Fundraising Contribution); $28,500, 6/30/08, Obama Victory Fund (Joint Fundraising Contribution); $2,300, 03/08/07, Obama For America. Jacqueline Avant (mother): 2005/2006, $2,100, 04/19/06, Friends Of Hillary; 2007/2008, $250, 02/14/07, Emily's List; $2,300, 03/28/07, Hillary Clinton For President; $4,600, 08/31/08, Obama Victory Fund (Joint Fundraiser Contribution); $1,000, 09/16/08, Democrats Win Seats (DWS PAC); $2,000, 12/08/08, Friends of Barbara Boxer.

5. Grandparents: Zella Gray (maternal grandmother)—deceased; Leon Gray (maternal grandfather)—deceased; Gertrude Woods (paternal grandmother)—deceased; Phoenix Jarrell (paternal grandfather)—deceased.

6. Brothers and Spouses: Alexander Avant (brother): $500, 6/07/07, Hillary Clinton For President; $500, 09/11/07, Hillary Clinton For President; $250, 12/13/07, Hillary Clinton For President; $2,300, 06/30/08, Obama Victory Fund (Joint Fundraiser Contribution); $2,500, 09/19/08, Obama Victory Fund (Joint Fundraiser Contribution); $250, 10/10/08, Hill PAC.

7. Sisters and Spouses—None.

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*Howard W. Gutman, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

NOMINEE—Howard Gutman.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $4600, 3/29/07, Obama for America; $1000, 6/30/06, Boswell for Congress; $1000, 9/21/06, Ben Cardin for Senate; $1000, 2/23/08, Ben Cardin for Senate; $1000, 6/30/2006, Friends of Joe Lieberman; $1000, 9/25/2008, Patrick Murphy for Congress; $250, 2/27/06, David Yassky for Congress; $1000, 12/10/08, Mikulski for Senate Committee; $500, 3/01/06, Whitehouse for Senate; $2300, 11/24/08, Hillary Clinton for President; $5000, 7/06/05, Forward Together PAC; $5000, 1/10/2006, Forward Together PAC; $2300, 9/24/2007, Friends of Mark Warner;

$2300, 1/16/2008, Friends of Mark Warner; $1000, 4/18/07, Friends of Mary Landrieu; $2100, 3/8/06, Miller 2006 (Harris Miller); $2100, 10/31/05, Rales for Senate; $2500, 9/23/08, Democratic Party of Virginia;

2.Spouse: Michelle Loewinger or Michelle Gutman: $5000, 7/6/05, Forward Together PAC; $5000, 1/10/06, Forward Together PAC; 3/29/07, $2300, Obama for America; 5/25/07, $2300, Obama for America; 10/31/05, $2100, Rales for Senate; 9/24/07, $2300, Friends of Mark Warner; 1/16/08, $2300, Friends of Mark Warner;

3. Children and Spouses: Collin Gutman—single—none; Chase Gutman—single—none.

4. Parents: Max Gutman—deceased 1973; Roslyn Gutman—none.

5. Grandparents: All grandparents are deceased for decades.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Deborah Studen (Harvey Studen)—none.

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*Vilma S. Martinez, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

Nominee: Vilma S. Martinez.

Post: Ambassador to Argentina.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: $931.00, 1/29/2008, Obama for America; $1,000.00, 10/30/2008, Obama for America; $250.00, 3/25/2006, Friends of Juan Vargas; $200.00, 10/02/2006, Madrid for Congress.

2. Spouse: not applicable.

3. Children and Spouses: Ricardo T. Singer: none.

Carlos A. Singer: $1,000.00, 10/11/2004, Democratic National Committee.

Jessica Uzcategui, (Carlos' spouse): $500.00, 1/26/2008, Obama for America.

4. Parents: Salvador Martinez: deceased.

Marina P. Martinez: deceased.

5. Grandparents: Guadalupe Martinez: deceased.

Zaragoza Martinez: deceased.

Agustina Piña: deceased.

Rosendo Piña: deceased.

6. Brothers and Spouses: Salvador Martinez, Jr.: unable to locate.

Mary Jane Martinez (spouse): deceased.

James P. Martinez: none.

7. Sisters and Spouses: Rose Linda Hernandez: none.

Robert Hernandez (spouse): none.

Elizabeth Bond: none.

Charles Bond (spouse): none.

(*David H. Thorne, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of San Marino.)

Nominee: David H. Thorne.

Post: Ambassador to Italy and San Marino.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Donee, amount, date, and donor:

Self: Democratic National Committee, $100, 2006, David Thorne; Democratic National Committee, $1000, 2006, David Thorne; New Hampshire Democratic Party, $1000, 2006, David Thorne; Friends of John Kerry, $2100, 2006, David Thorne; John Powers for Congress, $2300, 2007, David Thorne; Biden for President, $1000, 2007, David Thorne; Obama for America, $1000, 2008, David Thorne; Obama for America, $1000, 2008, David Thorne; Obama for America, $250, 2008, David Thorne; Obama Victory Fund, $1000, 2008, David Thorne; Obama Victory Fund, $250, 2008, David Thorne; Obama Victory Fund, $1000, 2008, David Thorne; Footlik for Congress, $1000, 2008, David Thorne; Young Democrats of America, $500, 2008, David Thorne.

Spouse: Friends of John Kerry, $2100, 2006, Rose Thorne; John Powers for Congress, $1300, 2007, Rose Thorne; John Powers for Congress, $1000, 2007, Rose Thorne.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nominations beginning with Christopher L. Andino and ending with Holly Hope Zardus, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2009.

*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 Mrs. MCCASKILL:

S. 1476. A bill to require all new and upgraded fuel pumps to be equipped with automatic temperature compensation equipment, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD:

S. 1477. A bill to establish a user fee for follow-up reinspections under the Federal Food, Drug, and Cosmetic Act; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. ALEXANDER, and Mr. REID):

S. 1478. A bill to strengthen communities through English literacy and civics education for new Americans, and for other purposes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 1479. A bill to provide for the treatment of certain hospitals; to the Committee on Finance.

By Mr. KOHL (for himself, Mr. FEINGOLD, Mr. KERRY, Mr. DURBIN, Mr. BEGICH, Mr. BINGAMAN, and Mr. TESTER):

S. 1480. A bill to amend the Child Nutrition Act of 1966 to establish a program to improve the health and education of children through grants to expand school breakfast programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself and Mr. JOHANNS):

S. 1481. A bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KERRY (for himself, Ms. SNOWE, Mr. ROCKEFELLER, Mr. PRYOR, and Mr. WYDEN):

S. 1482. A bill to reauthorize the 21st Century Nanotechnology Research and Development Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR:

S. 1483. A bill to designate the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 1484. A bill to amend the Internal Revenue Code of 1986 to create Catastrophe Savings Accounts; to the Committee on Finance.

By Mr. MARTINEZ (for himself and Mr. NELSON of Florida):

S. 1485. A bill to improve hurricane preparedness by establishing the National Hurricane Research Initiative and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide for the creation of disaster protection funds by property and casualty insurance companies for the payment of policyholders' claims arising from future catastrophic events; to the Committee on Finance.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 1487. A bill to establish a bipartisan commission on insurance reform; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BURRIS:

S. 1488. A bill to extend temporarily the 18-month period of continuation coverage under group health plans required under COBRA continuation coverage provisions so as to provide for a total period of continuation coverage of up to 24 months; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SNOWE:

S. 1489. A bill to amend the Small Business Act to create parity among small business contracting programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL:

S. Res. 218. A resolution making minority party appointments for the 111th Congress; considered and agreed to.

By Mr. MENENDEZ:

S. Res. 219. A resolution honoring the hockey team of East Side High School in Newark, New Jersey; to the Committee on the Judiciary.

By Mr. BURRIS:

S. Con. Res. 33. A concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued to honor the crew of the USS Mason DE-529 who fought and served during World War II; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 144

At the request of Mr. KERRY, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 211

At the request of Mrs. MURRAY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 237

At the request of Mr. LEVIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 237, a bill to establish a collaborative program to protect the Great Lakes, and for other purposes.

S. 254

At the request of Mrs. LINCOLN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 254, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 428

At the request of Mr. DORGAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 572

At the request of Mr. WEBB, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 572, a bill to provide for the issuance of a ''forever stamp'' to honor the sacrifices of the brave men and women of the armed forces who have been awarded the Purple Heart.

S. 616

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 616, a bill to amend the Public Health Service Act to authorize medical simulation enhancement programs, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 846

At the request of Mr. DURBIN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 846, a bill to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 913

At the request of Mr. CORNYN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 913, a bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1026

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1026, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed service voters, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1066, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1121

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1121, a bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the repair, renovation, and construction of elementary and secondary schools, including early learning facilities at the elementary schools.

S. 1128

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1128, a bill to authorize the award of a military service medal to members of the Armed Forces who were exposed to ionizing radiation as a result of participation in the testing of nuclear weapons or under other circumstances.

S. 1153

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1265

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1265, a bill to amend the National Voter Registration Act of 1993 to provide members of the Armed Forces and their family members equal access to voter registration assistance, and for other purposes.

S. 1279

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1279, a bill to amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to extend the Rural Community Hospital Demonstration Program.

S. 1304

At the request of Mr. GRASSLEY, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1312

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 1312, a bill to amend title XVIII of the Social Security Act to provide for coverage, as supplies associated with the injection of insulin, of containment, removal, decontamination and disposal of home-generated needles, syringes, and other sharps through a sharps container, decontamination/destruction device, or sharps-by-mail program or similar program under part D of the Medicare program.

S. 1324

At the request of Mr. DEMINT, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1324, a bill to ensure that every American has a health insurance plan that they can afford, own, and keep.

S. 1344

At the request of Mr. VITTER, the names of the Senator from Kentucky (Mr. BUNNING), the Senator from Nebraska (Mr. JOHANNS) and the Senator

from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1344, a bill to temporarily protect the solvency of the Highway Trust Fund.

S. 1362

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1362, a bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in high school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes.

S. 1408

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1408, a bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation.

S. 1415

At the request of Mr. SCHUMER, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Virginia (Mr. WEBB), the Senator from Wyoming (Mr. ENZI), the Senator from Oregon (Mr. MERKLEY) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 1415, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to ensure that absent uniformed services voters and overseas voters are aware of their voting rights and have a genuine opportunity to register to vote and have their absentee ballots cast and counted, and for other purposes.

S. 1422

At the request of Mrs. MURRAY, the names of the Senator from Washington (Ms. CANTWELL), the Senator from New York (Mr. SCHUMER) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 1422, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 1439

At the request of Mr. WYDEN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1439, a bill to provide for duty-free treatment of certain recreational performance outerwear, and for other purposes.

S. 1469

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1469, a bill to provide for the administration of Port Chicago Naval Magazine National Memorial as a unit of the National Park System, and for other purposes.

S. 1474

At the request of Mr. BAUCUS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1474, a bill to amend the Internal Revenue Code of 1986 to repeal the provision prohibiting the crediting of interest to the Highway Trust Fund, and for other purposes.

S. CON. RES. 25

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

S. RES. 210

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 210, a resolution designating the week beginning on November 9, 2009, as National School Psychology Week.

S. RES. 212

At the request of Mr. JOHANNS, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. Res. 212, a resolution expressing the sense of the Senate that any savings under the Medicare program should be invested back into the Medicare program, rather than creating new entitlement programs.

AMENDMENT NO. 1501

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 1501 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. BOND, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 1501 intended to be proposed to S. 1390, supra.

AMENDMENT NO. 1514

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 1514 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1515

At the request of Mr. NELSON of Florida, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from North Carolina (Mr. BURR), the Senator from Pennsylvania (Mr. CASEY), the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 1515 proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1517

At the request of Mr. BUNNING, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1517 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1528

At the request of Mr. LIEBERMAN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of amendment No. 1528 proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. LEVIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 1528 proposed to S. 1390, supra.

AMENDMENT NO. 1543

At the request of Mr. RISCH, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 1543 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1558

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 1558 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1597

At the request of Mr. BROWNBACK, the names of the Senator from Arizona (Mr. KYL), the Senator from Oklahoma

(Mr. INHOFE) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of amendment No. 1597 proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1599

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1599 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1618

At the request of Mr. THUNE, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 1618 proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1621

At the request of Mrs. SHAHEEN, the names of the Senator from Missouri (Mr. BOND) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of amendment No. 1621 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1628

At the request of Ms. COLLINS, her name was added as a cosponsor of amendment No. 1628 proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. BENNETT, his name was added as a cosponsor of amendment No. 1628 proposed to S. 1390, supra.

AMENDMENT NO. 1635

At the request of Mr. SCHUMER, the names of the Senator from Virginia (Mr. WEBB), the Senator from Wyoming (Mr. ENZI), the Senator from Oregon (Mr. MERKLEY) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of amendment No. 1635 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1637

At the request of Mr. PRYOR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 1637 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MCCASKILL:

S. 1476. A bill to require all new and upgraded fuel pumps to be equipped with automatic temperature compensation equipment, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. MCCASKILL.

Mr. President, today I am here to talk about a simple bill that would correct a serious injustice.

Each year U.S. consumers spend $2.57 billion more than they should for gasoline and diesel fuel. This is because they are buying hot fuel. The physics behind hot fuel are fairly simple. Retailers currently measure our gasoline as it if is stored at 60 degrees Fahrenheit. However, if the temperature increases, as it often does during the summer or in warm climates, the gasoline expands so that consumers are getting less energy per gallon of fuel. Yet, when consumers buy hot fuel, they are paying the same amount even though they are getting less energy.

This problem can be easily solved by installing temperature compensating equipment that will regulate the distribution of fuel based on its temperature at the time of purchase. A similar policy was implemented in Canada 15 years ago because retailers were losing money due to the cold temperature of the fuel they were selling; and earlier this year, the U.S. retailer Costco Warehouse, LLC agreed to install this temperature compensating equipment as a result of a legal settlement.

Today, I am introducing legislation that would require all retailers of gasoline to install temperature compensating equipment on their retail fuel pumps. The Future Accountability in Retail Fuel Act of 2009, or the FAIR Fuel Act, is not intended to be onerous. It would simply require that within 6 years after enactment of this legislation all retail gasoline pumps would include automatic temperature compensating equipment. Prior to that 6 year timeline, if a retailer replaces their pumps, they must replace it with a pump that will be able to compensate for temperature fluctuations. Rural retail gasoline owners are exempt from this replacement requirement and the bill provides grant assistance for small retail owners to retrofit or purchase pumps with temperature compensating equipment.

American families deserve to be treated fairly. They deserve to get what they pay for. With the current economic crisis and the high prices of gasoline, every penny we can save the consumer will go along way to helping them survive these tough times. This legislation will help to achieve this goal. It will finally give consumers the fairness they deserve.

I am pleased that this bill has been endorsed by the Owner-Operator Independent Drivers Association, OOIDA, USPIRG and Consumer Watchdog. I look forward to working with the members of the Commerce Committee and the full Senate in getting this legislation passed. I think we owe it to the American consumers.

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. 1476

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 ''Future Accountability in Retail Fuel Act'' or the ''FAIR Fuel Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) AUTOMATIC TEMPERATURE COMPENSATION EQUIPMENT.—The term ''automatic temperature compensation equipment'' has the meaning given the term in the National Institute of Standards and Technology Handbook 44.

(2) EQUIVALENT STANDARD.—The term ''equivalent standard'' means any standard that prohibits the retail sale of gasoline with energy content per gallon that is different than the energy content of 1 gallon of gasoline stored at 60 degrees Fahrenheit.

(3) RURAL AREA.—The term ''rural area'' means any area other than—

(A) a city, town, or unincorporated area that has a population of greater than 50,000 inhabitants; or

(B) the urbanized area that is contiguous and adjacent to such a city, town, or unincorporated area.

(4) SMALL-VOLUME STATION.—The term ''small-volume station'' means any retail fuel establishment that dispenses fewer than 360,000 gallons of gasoline and diesel fuel per year.

SEC. 3. AUTOMATIC TEMPERATURE COMPENSATION EQUIPMENT.

(a) IN GENERAL.—

(1) NEW MOTOR FUEL DISPENSERS.—Beginning 180 days after the issuance of final regulations under subsection (c), all motor fuel dispensers that are newly installed or upgraded at any retail fuel establishment in the United States shall be equipped with automatic temperature compensation equipment to ensure that any volume of gasoline

or diesel fuel measured by such dispenser for retail sale is equal to the volume that such quantity of fuel would equal at the time of such sale if the temperature of the fuel was 60 degrees Fahrenheit.

(2) EXISTING MOTOR FUEL DISPENSERS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 5 years after the issuance of final regulations under subsection (c), all motor fuel dispensers at any retail fuel establishment in the United States shall be equipped with the automatic temperature compensation equipment described in paragraph (1).

(B) SMALL-VOLUME STATIONS.—Small-volume stations located in rural areas shall not be subject to the requirement under subparagraph (A).

(b) INSPECTIONS.—

(1) ANNUAL INSPECTION.—Beginning on the date described in subsection (a), State inspectors conducting an initial or annual inspection of motor fuel dispensers are authorized to determine if such dispensers are equipped with the automatic temperature compensation equipment required under subsection (a).

(2) NOTIFICATION.—If the State inspector determines that a motor fuel dispenser does not comply with the requirement under subsection (a), the State inspector is authorized to notify the Federal Trade Commission, through an electronic notification system developed by the Commission, of such noncompliance.

(3) FOLLOW-UP INSPECTION.—Not earlier than 180 days after a motor fuel dispenser is found to be out of compliance with the requirement under subsection (a), the Federal Trade Commission shall coordinate a follow-up inspection of such motor fuel dispenser.

(4) FINE.—

(A) IN GENERAL.—The owner or operator of any retail fuel establishment with a motor fuel dispenser subject to the requirement under subsection (a) that is determined to be out of compliance with such requirement shall be subject to a fine equal to $5,000 for each noncompliant motor fuel dispenser.

(B) ADDITIONAL FINE.—If a motor fuel dispenser is determined to be out of compliance during a follow-up inspection, the owner or operator of the retail fuel establishment at which such motor fuel dispenser is located shall be subject to an additional fine equal to $5,000.

(5) USE OF FINES.—Any amounts collected under paragraph (4) shall be deposited into the trust fund established under section 4.

(c) RULEMAKING.—

(1) COMMENCEMENT.—Not later than 90 days after the date of the enactment of this Act, the Federal Trade Commission, in consultation with the National Institute of Standards and Technology, shall commence a rulemaking procedure to implement the requirement under subsection (a).

(2) FINAL REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall issue final regulations to implement the requirement under subsection (a), including specifying which volume correction factor tables shall be used for the range of gasoline and diesel fuel products that are sold to retail customers in the United States.

SEC. 4. AUTOMATIC TEMPERATURE COMPENSATION EQUIPMENT GRANT PROGRAM.

(a) ESTABLISHMENT OF TRUST FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Automatic Temperature Compensation Equipment Trust Fund'' (referred to in this section as the ''Trust Fund'').

(2) TRANSFERS.—The Secretary of the Treasury shall transfer to the Trust Fund out of the general fund of the Treasury an amount equal to the amount collected as fines under section 3(b)(4).

(3) INVESTMENT.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States.

(b) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Commerce is authorized to use amounts in the Trust Fund for grants to owners and operators of retail fuel establishments to offset the costs associated with the installation of automatic temperature compensation equipment on motor fuel dispensers.

(2) MAXIMUM AMOUNT.—The Secretary may not award a grant under this subsection in excess of—

(A) $1,000 per motor fuel dispenser; or

(B) $10,000 per grant recipient.

(3) ELIGIBLE RECIPIENTS.—An owner or operator of not more than 5 retail fuel establishments is eligible to receive a grant under this subsection.

(4) USE OF GRANT FUNDS.—Grant funds received under this subsection may be used to offset the costs incurred by owners and operators of retail establishments to acquire and install automatic temperature compensation equipment in accordance with the requirement under section 3(a).

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(c) REIMBURSEMENT OF STATE INSPECTION COSTS.—The Secretary of Commerce is authorized to use amounts in the Trust Fund to reimburse States for the costs incurred by the States to—

(1) inspect motor fuel dispensers for compliance with the requirement under section 3(a); and

(2) notify the Secretary of Commerce of any noncompliance with such requirement.

SEC. 5. SAVINGS PROVISION.

Nothing in this Act may be construed to preempt a State from enacting a law that imposes an equivalent standard or a more stringent standard concerning the retail sale of gasoline at certain temperatures.

By Mr. FEINGOLD:

S. 1477. A bill to establish a user fee for follow-up reinspections under the Federal Food, Drug, and Cosmetic Act; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, today I am introducing a bill that would charge a reinspection fee for goods that fail FDA inspection for good manufacturing practices. Currently, businesses do not have to pay for the second inspection if they fail. Essentially, then, the FDA is absorbing this extra cost. This Nation faces difficult enough choices without subsidizing private companies that fail basic inspections. I am pleased to credit the Bush administration for originally proposing this fee, which is again proposed in President Obama's fiscal year 2010 budget. This fee carries proposed savings of an estimated $24 million per year, and could save as much as $115 million over 5 years.

We must ensure that U.S. taxpayer money is being used efficiently and effectively, and this measure would help in our ongoing efforts to streamline government programs and reduce the Federal budget deficit. FDA Commissioner Andrew von Eschenbach testified about these fees before the House Agriculture, Rural Development, and FDA Appropriations Subcommittee in 2006. He believes, and I agree, that the reinspection fee will motivate businesses to comply with long-established health and safety standards. Businesses that do not meet Federal standards should bear the burden of the reinspection, rather than getting a free pass at the taxpayer's expense.

One of the main reasons I first ran for the U.S. Senate was to restore fiscal responsibility to the Federal budget. I have worked throughout my Senate career to eliminate wasteful spending and to reduce the budget deficit. Unless we return to fiscally responsible budgeting, Congress will saddle our nation's younger generations with an enormous financial burden for years to come. This bill is one small step in that direction.

By Mr. KOHL (for himself, Mr. FEINGOLD, Mr. KERRY, Mr. DURBIN, Mr. BEGICH, Mr. BINGAMAN, and Mr. TESTER):

S. 1480. A bill to amend the Child Nutrition Act of 1966 to establish a program to improve the health and education of children through grants to expand school breakfast programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, today I join with Senator KOHL to introduce the Student Breakfast and Education Improvement Act as part of my continued efforts to improve student achievement in our Nation's schools. One part of student performance that is often overlooked is nutrition, which can have a significant impact on student achievement. I know many of my colleagues share my support for school programs that help alleviate hunger for the most in-need students, such as the Free and Reduced Price Lunch Program, as well as those programs that provide more nutritious food, such as the Fresh Fruit and Vegetable Snack program.

I am sure that I am not the only member of this body who grew up hearing that breakfast is the most important meal of the day. I was lucky never to have to worry about going hungry, and my parents did not have to choose between giving their children lunch or breakfast. The fact is, that is a choice many parents do have to make today, even if they get the help of reduced price meals. The current economic difficulties and rising unemployment have only increased the burdens facing low income families in Wisconsin and around the country as they struggle to provide nutritious meals for their children.

The Student Breakfast and Education Improvement Act would provide grants for schools wishing to begin or expand universal school breakfast programs. Studies show that kids who eat breakfast perform better in school and

on tests, and they tend to be less disruptive to the class. I have heard many stories from teachers, school nurses, and other school officials over the years to confirm this. In fact, in my home State of Wisconsin, the Milwaukee Public Schools have been working with the Hunger Task Force for the past few years to implement universal school breakfast programs, which they have in place now in more than 80 schools. This program, which has expanded in its second year, has proven popular with students, teachers, and parents.

This bill would target the most in-need schools—those with 65 percent or more of students eligible for the free and reduced price lunch program—with the funds necessary to implement a universal free breakfast program. The grants, which could be used in a number of ways, aim to help schools overcome the numerous barriers faced in trying to create a school breakfast program.

Our Nation faces a series of pressing education challenges in its schools, including most significantly a large achievement gap and graduation rate gap among minority and low income students. After decades of civil rights struggles, public education should provide all our students with access to equal opportunities, but the quality of public education provided to students of color and low-income students in urban and rural Wisconsin and around the country still does not come close to affording many of these students an equal chance for success. Too often these students learn in crumbling and outdated buildings, they do not have the same access to high quality technology in their classrooms, they are taught by the least experienced teachers, and they often do not have adequate access to important resources like school counselors and nurses.

These and a number of other factors contribute to the achievement gap in our Nation's schools and the Federal Government can help to address this gap by promoting smarter and more flexible accountability structures and increased supports for schools during the upcoming reauthorization of the Elementary and Secondary Education Act. Congress should also help to address some of the many other issues facing our nation's students living in poverty issues that may not seem directly related to education, but impact the academic growth of students including hunger, affordable housing, and crime. This bill takes an important step to address hunger and also seeks to improve nutrition education by providing funds to expand school breakfast programs, boost collaboration between local farmers and schools, expand service-learning opportunities in our classrooms, and improve nutrition education programming for students.

In this economy, more and more parents are forced to make these kinds of decisions, and the school meal programs can provide a tremendous relief. As we look forward to reauthorizing the Child Nutrition Act, it is vital that we take stock of the successes and limitations of existing programs. School breakfast faces a number of hurdles that, quite simply, other school feeding programs do not. Chief of those is time. For some students, getting to school early is impossible; for some, the lure of breakfast is not a strong enough draw to get up earlier. These are problems that schools across the country are facing and solving with creativity and dedication. This legislation will help support the innovative work going on in some of our nation's schools and will help to scale up successful nutrition programs in other schools so that hopefully one day, none of America's students will start the school day hungry.

By Mr. NELSON, of Florida (for himself and Mr. MARTINEZ):

S. 1484. A bill to amend the Internal Revenue Code of 1986 to create Catastrophe Savings Accounts; to the Committee on Finance.

Mr. NELSON of Florida. Mr. President, last year we were all transfixed by the non-stop news coverage of Hurricanes Gustav and Ike as they grew into monster storms, crossing the Caribbean and Gulf of Mexico and leaving a trail of misery in their wake. Ike, the third most destructive storm in the history of the U.S., made landfall in Galveston, Texas, and then tracked through Arkansas, Illinois, Indiana, Missouri, Ohio, and Pennsylvania, killing 112 people and causing more than $24 billion in damage.

Since 2003, hurricanes and other tropical cyclones have caused more than 2,000 deaths in the U.S. Forty percent of all hurricanes that make landfall in the U.S. hit Florida.

Insured losses from hurricanes average more than $5.2 billion per year. A recent study of hurricane-related damages over the last century suggests that economic losses will double every 10 years. With more than 50 percent of the U.S. population living within 50 miles of the coast, and with 180 million people visiting the coast annually, the risks to life and property are growing.

Hurricanes, however, do not just impact the coasts. These extreme events also have national consequences, such as increased fuel prices, displaced populations, and severe inland flooding.

The American public is increasingly aware of the potential for high recovery costs and financing of natural disaster losses. I cannot overstate the importance of prior preparation and insurance coverage for large catastrophic risks—including natural disasters such as hurricanes and earthquakes—as well as efforts to promote a stable, affordable catastrophic insurance market.

This is why today Senator MARTINEZ and I are introducing four bills: the Commission on Catastrophic Disaster Risk and Insurance Act of 2009, S. 1487, the Policyholder Disaster Protection Act of 2009, S. 1486, the Catastrophe Savings Accounts Act of 2009, S. 1484, and the National Hurricane Research Initiative Act of 2009, 1485. These bills take a pro-active approach in addressing these natural catastrophe concerns.

The National Hurricane Research Initiative Act of 2009 will expand the scope of fundamental research on hurricanes. The bill is aimed at improving hurricane forecasting and tracking and helping us find better ways to mitigate their impact. The Act will establish a National Science Foundation (NSF) grant program for hurricane and tropical cyclone research and bring together a task force, jointly chaired by the National Oceanic and Atmospheric Administration, NOAA, the National Institute of Standards and Technology, NIST, and NSF.

The second bill, the Commission on Catastrophic Disaster Risk and Insurance Act of 2009, establishes the bipartisan Commission on Catastrophic Disaster Risk and Insurance. This commission will assess the condition of the property and casualty insurance and reinsurance markets in the aftermath of Hurricanes Katrina, Rita, and Wilma in 2005, as well as the four major hurricanes that struck the U.S. in 2004. It will also evaluate the country's ongoing exposure to earthquakes, volcanic eruptions, tsunamis, and floods. Finally, the commission will recommend and report legislative and regulatory changes that will improve the domestic and international financial health and competitiveness of property and casualty insurance markets, assuring the availability of adequate insurance when an insured event occurs, as well as the best possible range of insurance products at competitive prices.

The Policyholder Disaster Protection Act of 2009 amends the Internal Revenue Code to allow property and casualty insurance companies to create tax-exempt disaster protection funds and to make tax deductible contributions to those funds for the payment of policyholders' claims arising from certain catastrophic events, such as windstorms, earthquakes, fires, and floods.

Finally, the Catastrophe Savings Accounts Act of 2009 amends the Internal Revenue Code to create tax-exempt catastrophe savings accounts. Individuals could take tax-free distributions from these accounts to pay expenses resulting from a presidentially declared major disaster. The bill limits catastrophe savings account balances to $2,000 for individuals with homeowner insurance deductibles of not more than $1,000, and the lesser of $15,000 or twice the homeowner's insurance deductible for individuals with deductibles of more than $1,000.

As I mentioned at the beginning of my remarks, the entire country experiences financial losses when hurricanes hit. It is time for us to take the bull by the horns and pass legislation that plans in advance for these and other natural disasters.

As we are in the hurricane season, it will become painfully apparent just

how precarious a lot of the construction is, how precarious building codes are not being fairly and judiciously administered, and it will become evident what an economic disaster even a mild hurricane can cause when it hits the coast. And Lord knows, if the big one hits an urbanized part of the coast—and the big one is a category 4 or a category 5 hurricane—it is going to create economic chaos. It is going to cause the insurance industry to be on the brink of total collapse. And it will ultimately, just like Katrina, end up having the U.S. Government pay a major part of the economic bailout consequences of a natural disaster, such as a hurricane or an earthquake hitting the United States. We ought to get ahead of it and we ought to plan for it, and that is what this package of four bills Senator MARTINEZ and I are offering will do.

Mr. President, I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the text of the bills was ordered to be printed in the RECORD, as follows:

S. 1484

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 ''Catastrophe Savings Accounts Act of 2009''.

SEC. 2. CATASTROPHE SAVINGS ACCOUNTS.

(a) IN GENERAL.—Subchapter F of Chapter 1 of the Internal Revenue Code of 1986 (relating to exempt organizations) is amended by adding at the end the following new part:

''PART IX—CATASTROPHE SAVINGS ACCOUNTS

''SEC. 530A. CATASTROPHE SAVINGS ACCOUNTS.

''(a) GENERAL RULE.—A Catastrophe Savings Account shall be exempt from taxation under this subtitle. Notwithstanding the preceding sentence, such account shall be subject to the taxes imposed by section 511 (relating to imposition of tax on unrelated business income of charitable organizations).

''(b) CATASTROPHE SAVINGS ACCOUNT.—For purposes of this section, the term 'Catastrophe Savings Account' means a trust created or organized in the United States for the exclusive benefit of an individual or his beneficiaries and which is designated (in such manner as the Secretary shall prescribe) at the time of the establishment of the trust as a Catastrophe Savings Account, but only if the written governing instrument creating the trust meets the following requirements:

''(1) Except in the case of a qualified rollover contribution—

''(A) no contribution will be accepted unless it is in cash, and

''(B) contributions will not be accepted in excess of the account balance limit specified in subsection (c).

''(2) The trustee is a bank (as defined in section 408(n)) or another person who demonstrates to the satisfaction of the Secretary that the manner in which that person will administer the trust will be consistent with the requirements of this section.

''(3) The interest of an individual in the balance of his account is nonforfeitable.

''(4) The assets of the trust shall not be commingled with other property except in a common trust fund or common investment fund.

''(c) ACCOUNT BALANCE LIMIT.—The aggregate account balance for all Catastrophe Savings Accounts maintained for the benefit of an individual (including qualified rollover contributions) shall not exceed—

''(1) in the case of an individual whose qualified deductible is not more than $1,000, $2,000, and

''(2) in the case of an individual whose qualified deductible is more than $1,000, the amount equal to the lesser of—

''(A) $15,000, or

''(B) twice the amount of the individual's qualified deductible.

''(d) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED CATASTROPHE EXPENSES.—The term 'qualified catastrophe expenses' means expenses paid or incurred by reason of a major disaster that has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

''(2) QUALIFIED DEDUCTIBLE.—With respect to an individual, the term 'qualified deductible' means the annual deductible for the individual's homeowners' insurance policy.

''(3) QUALIFIED ROLLOVER CONTRIBUTION.—The term 'qualified rollover contribution' means a contribution to a Catastrophe Savings Account—

''(A) from another such account of the same beneficiary, but only if such amount is contributed not later than the 60th day after the distribution from such other account, and

''(B) from a Catastrophe Savings Account of a spouse of the beneficiary of the account to which the contribution is made, but only if such amount is contributed not later than the 60th day after the distribution from such other account.

''(e) TAX TREATMENT OF DISTRIBUTIONS.—

''(1) IN GENERAL.—Any distribution from a Catastrophe Savings Account shall be includible in the gross income of the distributee in the manner as provided in section 72.

''(2) DISTRIBUTIONS FOR QUALIFIED CATASTROPHE EXPENSES.—

''(A) IN GENERAL.—No amount shall be includible in gross income under paragraph (1) if the qualified catastrophe expenses of the distributee during the taxable year are not less than the aggregate distributions during the taxable year.

''(B) DISTRIBUTIONS IN EXCESS OF EXPENSES.—If such aggregate distributions exceed such expenses during the taxable year, the amount otherwise includible in gross income under paragraph (1) shall be reduced by the amount which bears the same ratio to the amount which would be includible in gross income under paragraph (1) (without regard to this subparagraph) as the qualified catastrophe expenses bear to such aggregate distributions.

''(3) ADDITIONAL TAX FOR DISTRIBUTIONS NOT USED FOR QUALIFIED CATASTROPHE EXPENSES.—The tax imposed by this chapter for any taxable year on any taxpayer who receives a payment or distribution from a Catastrophe Savings Account which is includible in gross income shall be increased by 10 percent of the amount which is so includible.

''(4) RETIREMENT DISTRIBUTIONS.—No amount shall be includible in gross income under paragraph (1) (or subject to an additional tax under paragraph (3)) if the payment or distribution is made on or after the date on which the distributee attains age 62.

''(f) TAX TREATMENT OF ACCOUNTS.—Rules similar to the rules of paragraphs (2) and (4) of section 408(e) shall apply to any Catastrophe Savings Account.''.

(b) TAX ON EXCESS CONTRIBUTIONS.—

(1) IN GENERAL.—Subsection (a) of section 4973 of the Internal Revenue Code of 1986 (relating to tax on excess contributions to certain tax-favored accounts and annuities) is amended by striking ''or'' at the end of paragraph (4), by inserting ''or'' at the end of paragraph (5), and by inserting after paragraph (5) the following new paragraph:

''(6) a Catastrophe Savings Account (as defined in section 530A),''.

(2) EXCESS CONTRIBUTION.—Section 4973 of such Code is amended by adding at the end the following new subsection:

''(h) EXCESS CONTRIBUTIONS TO CATASTROPHE SAVINGS ACCOUNTS.—For purposes of this section, in the case of Catastrophe Savings Accounts (within the meaning of section 530A), the term 'excess contributions' means the amount by which the aggregate account balance for all Catastrophe Savings Accounts maintained for the benefit of an individual exceeds the account balance limit defined in section 530A(c)(1).''.

(c) CONFORMING AMENDMENT.—The table of parts for subchapter F of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART IX. CATASTROPHE SAVINGS ACCOUNTS.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

S. 1485

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 ''National Hurricane Research Initiative 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. Sense of Congress.
Sec. 4. Definitions.
Sec. 5. National Hurricane Research Initiative.
Sec. 6. National Hurricane Research Task Force.
Sec. 7. National Hurricane Research.
Sec. 8. Authorization of appropriations.
Sec. 9. Independent review.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Hurricanes and other tropical cyclones have directly caused more than 2,000 deaths in the United States since 2003 and account for approximately 66 percent of insured losses due to natural hazards.

(2) While the ability to understand and predict hurricanes and other tropical cyclones has improved since 1999, particularly with respect to storm tracking, much remains unknown concerning—

(A) storm dynamics, rapid intensity change, and impact on extratropical cyclones;

(B) the interactions of storms with natural and built environments; and

(C) the impacts to and response of society to destructive storms.

(3) Several expert assessments of the state of hurricane science and research needs have been published, including—

(A) the January 2007 report by the National Science Board titled, ''Hurricane Warning: The Critical Need for a National Hurricane Initiative'';

(B) the February 2007 report by the Office of the Federal Coordinator for Meteorological Services and Supporting Research entitled, ''Interagency Strategic Research Plan for Tropical Cyclones: The Way Ahead''; and

(C) reports from the Hurricane Intensity Working Group of the National Science Advisory Board of the National Oceanic and Atmospheric Administration.

(4) In the June 2005 publication, ''Grand Challenges for Disaster Reduction'', and in related 2008 implementation plans for hurricane and coastal inundation hazards the Subcommittee on Disaster Reduction of the Committee on Environment and Natural Resources of the National Science and Technology Council prioritized Federal science and technology investments needed to reduce future loss of life and property caused, both directly and indirectly, by hurricanes and other coastal storms.

(5) A National Hurricane Research Initiative complements the objectives of the National Windstorm Impact Reduction Program.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that, consistent with the findings of the expert assessments and strategies described in paragraphs (3) and (4) of section 2, a National Hurricane Research Initiative should be established to address the urgent and compelling need to undertake long-term, coordinated, multi-entity hurricane research focused on—

(1) conducting high priority scientific, engineering, and related social and behavioral studies; and

(2) effectively applying the research results of such studies to mitigate the impacts of hurricanes on society.

SEC. 4. DEFINITIONS.

In this Act:

(1) TASK FORCE.—The term ''Task Force'' means the National Hurricane Research Task Force established under section 6(a).

(2) ELIGIBLE ENTITIES.—The term ''eligible entities'' means State, regional, and local government agencies and departments, tribal governments, universities, research institutes, and nongovernmental organizations.

(3) 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).

(4) INITIATIVE.—The term ''Initiative'' means the National Hurricane Research Initiative established under section 5(a)(1).

(5) NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.—The term ''National Windstorm Impact Reduction Program'' means the program established by section 204 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15703).

(6) STATE.—The term ''State'' means any State of the United States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

(7) TRIBAL GOVERNMENT.—The term ''tribal government'' means the governing body of an Indian tribe.

(8) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere.

SEC. 5. NATIONAL HURRICANE RESEARCH INITIATIVE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Under Secretary, in collaboration with the Director of the National Science Foundation, shall establish an initiative to be known as the ''National Hurricane Research Initiative'' for the purposes described in paragraph (2). The Initiative shall consist of—

(A) the activities of the Under Secretary under this section;

(B) the activities of the Task Force under section 6; and

(C) the research carried out under section 7.

(2) PURPOSES.—The purposes described in this paragraph are as follows:

(A) To improve understanding and prediction of hurricanes and other tropical storms, including—

(i) storm tracking and prediction;

(ii) forecasting of storm formation, intensity, and wind and rain patterns, both within the tropics and as the storms move poleward;

(iii) storm surge modeling, inland flood modeling, and coastal erosion;

(iv) the interaction with and impacts of storms with the natural and built environment; and

(v) the impacts to and response of society to destructive storms, including the socioeconomic impacts requiring emergency management, response, and recovery.

(B) To develop infrastructure that is resilient to the forces associated with hurricanes and other tropical storms.

(C) To mitigate the impacts of hurricanes on coastal populations, the coastal built environment, and natural resources, including—

(i) coral reefs;

(ii) mangroves;

(iii) wetlands; and

(iv) other natural systems that can reduce hurricane wind and flood forces.

(D) To provide training for the next generation of hurricane researchers and forecasters.

(b) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Under Secretary shall develop a detailed, 5-year implementation plan for the Initiative that—

(A) incorporates the priorities for Federal science and technology investments set forth in the June 2005 publication, ''Grand Challenges for Disaster Reduction'', and in related 2008 implementation plans for hurricane and coastal inundation hazards of the Subcommittee on Disaster Reduction of the Committee on Environment and Natural Resources of the National Science and Technology Council;

(B) to the extent practicable and as appropriate, establishes benchmarks, milestones, goals, and performance measures to track progress of the research carried out under the Initiative and the application of research results for reducing hurricane losses and related public benefits, as recommended by the Task Force under section 6(f)(2); and

(C) identifies opportunities to leverage the results of the research carried out under section 7 with other Federal and non-Federal hurricane research, coordination, and loss-reduction initiatives, such as—

(i) the National Windstorm Impact Reduction Program established by section 204(a) of the National Windstorm Impact Reduction Act of 2004 (15 U.S.C. 15703);

(ii) the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.);

(iii) the initiatives of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(iv) wind hazard mitigation initiatives carried out by a State;

(v) the Hurricane Forecast Improvement Project fo the National Oceanic and Atmospheric Administration; and

(vi) the Working Group for Tropical Cyclone Research of the Office of the Federal Coordinator for Meteorological Services and Supporting Research.

(2) REVIEW.—Not later than 18 months after the date of the enactment of this Act, the Under Secretary shall ensure that the implementation plan required by paragraph (1) is reviewed by—

(A) the Director of the National Science Foundation;

(B) the Secretary of Homeland Security;

(C) the Director of the National Institute for Standards and Technology;

(D) the Commanding General of the U.S. Army Corps of Engineers;

(E) the Commander of the Naval Meterorology and Oceanography Command;

(F) the Associate Administrator for Science Mission Directorate of the National Aeronautics and Space Administration; and

(G) the Director of the U.S. Geological Survey.

(3) REVISIONS.—The Under Secretary shall revise the implementation plan required by paragraph (1) not less frequently than once every 5 years to address and respond to the findings and recommendations of the Task Force.

(c) RESEARCH.—

(1) ESTABLISHMENT OF RESEARCH OBJECTIVES.—The Under Secretary shall, in consultation with the Director fo the National Science Foundation, establish objectives for research carried out pursuant to section 7 that are based on the findings of the expert assessments and strategies described in paragraphs (3) and (4) of section 2.

(2) COORDINATION.—In carrying out the provisions of this subsection, the Under Secretary shall coordinate with the Task Force to the extent practicable.

(d) NATIONAL WORKSHOPS AND CONFERENCES.—The Under Secretary, in coordination with the Director of the National Science Foundation and the Task Force, shall carry out a series of national workshops and conferences that assemble a broad collection of scientific disciplines—

(1) to address hurricane-related research questions; and

(2) to encourage researchers to work collaboratively to carry out the purposes described in subsection (a)(2).

(e) PUBLIC INTERNET WEBSITE.—The Under Secretary, in coordination with the Task Force, shall facilitate the establishment of a public Internet website for the Initiative—

(1) to foster collaboration and interactive dialogues among the Under Secretary, the Director of the National Science Foundation, the Task Force, and the public; and

(2) to enhance public access to Initiative documents and products, including—

(A) information about the members of the Task Force, including their affiliation and contact information;

(B) meeting agenda and minutes of the Task Force;

(C) reports and publications of the Initiative;

(D) the most recent 5-year implementation plan developed under subsection (b); and

(E) the most recent annual report submitted to Congress under subsection (f).

(f) ANNUAL REPORT.—

(1) REQUIREMENT FOR ANNUAL CROSSCUT BUDGET AND REPORT.—The Under Secretary, in conjunction with members of the Task Force who represent Federal agencies, the Office of Science and Technology Policy, and the Office of Management and Budget, shall submit to Congress each year, together with documents submitted to Congress in support of the budget of the President for the fiscal year beginning in such year (as submitted pursuant to section 1105 of title 31, United States Code), a coordinated annual report for the Initiative for the fiscal year in which the report is submitted and the last fiscal year ending before such submittal.

(2) CONTENTS.—The report required by paragraph (1) shall—

(A) document the funds transferred by the Under Secretary to the heads of other Federal agencies under section 8(b); and

(B) document the grants and contracts awarded to eligible entities under section 7;

(C) for each agency that receives funds under section 8(b) and eligible entity that receives a grant or contract under section 7, identify what major activities were undertaken with such funds, grants, and contracts; and

(D) for each research activity or group of activities described in section 7(c), as appropriate, identify any accomplishments, which may include full or partial achievement of benchmarks, milestones, goals, performance measure targets established for the implementation plan under subsection (b)(1)(B).

SEC. 6. NATIONAL HURRICANE RESEARCH TASK FORCE.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary shall establish a task force to be known as the ''National Hurricane Research Task Force'' to facilitate and coordinate the efforts of Federal agencies and eligible entities in support of the Initiative.

(b) MEMBERSHIP.—The Task Force shall be composed of the following:

(1) The Under Secretary, or the Under Secretary's designee.

(2) The Director of the National Science Foundation, or the Director's designee.

(3) The Director of the National Institute of Standards and Technology, or the Director's designee.

(4) The Secretary of Homeland Security, or the Secretary's designee.

(5) The Commanding General of the U.S. Army Corps of Engineers, or the Commanding General's designee.

(6) The Director of the United States Geological Survey, or the Director's designee.

(7) The Administrator of the National Aeronautics and Space Administration, or the Administrator's designee.

(8) One member shall be appointed by the Secretary of Defense, who shall be a representative of the Office of Naval Research or the Chief of Naval Operations.

(9) The Federal Coordinator for Meteorological Services and Supporting Research.

(10) The Director of the Office of Science and Technology Policy, or the Director's designee.

(11) The Director of the Office of Management and Budget, or the Director's designee.

(12) The Chair of the Executive Committee of the Federal Geographic Data Committee, or the Chair's designee.

(13) Such other members from Federal agencies as the chairpersons of the Task Force jointly consider appropriate.

(14) Members who are not employees of the Federal Government, selected jointly by the chairpersons of the Task Force in consultation with the National Academy of Sciences and the National Academy of Engineering, as follows:

(A) At least 3 members who are prominent in the fields of hurricane science, engineering, social science, or related fields.

(B) At least 1 member who represents a State government agency responsible for emergency management and response.

(C) At least 3 members who represent the views of local governments, tribal governments, and nongovernmental organizations.

(D) At least 2 members who represent private sector interests engaged in hurricane research, preparedness, response, or recovery.

(E) At least 1 member who represents a State floodplain or coastal zone manager.

(F) Such other members as may be appropriate.

(c) CHAIRPERSONS.—The concurrent chairpersons of the Task Force shall be the following:

(1) The Under Secretary, or the Under Secretary's designee under subsection (b)(1).

(2) The Director of the National Science Foundation, or the Director's designee under subsection (b)(2).

(3) The Director of the National Institute of Standards and Technology, or the Director's designee under subsection (b)(3).

(d) INITIAL MEETING.—Not later than 120 days after the date of the enactment of this Act, the Task Force shall hold its first meeting.

(e) MEETINGS.—The Task Force shall meet at the call of the chairpersons of the Task Force, but not less frequently than twice each year.

(f) DUTIES.—The duties of the Task Force are as follows:

(1) To provide assistance to the Under Secretary with the development of the 5-year implementation plan required by section 5(b).

(2) Not later than 270 days after the date of the enactment of this Act and in consideration of the expert findings referred to in section 2(3)—

(A) to develop and furnish to the Under Secretary findings and recommendations, as appropriate, for monitoring research progress and for a set of benchmarks, milestones, goals, and performance measures to track the transition and application of research results for reducing hurricane losses and related public benefits under the Initiative;

(B) to identify interim and long-term goals of the research program under section 7; and

(C) to prioritize the activities of the Initiative over a 10-year period.

(3) To improve communication and coordination among Federal agencies with respect to hurricane-related research, developments in hurricane forecasting and operations, and best practices for applying results of Initiative research to reduce loss of life and property damage resulting from hurricanes.

(4) To identify opportunities to leverage the activities and products of the Initiative with the National Windstorm Impact Reduction Program and other Federal and non-Federal hurricane research, coordination, and loss reduction programs.

(5) To recommend a model described in section 7(c)(1)(A) and monitor progress on development of such model.

(6) To make recommendations to the Under Secretary and the Director of the National Science Foundation on research priorities and content and structure of the program established under section 7(a)(1).

(7) To make recommendations on national hurricane research observation and data requirements.

(8) To assess opportunities to leverage the capabilities of the following stakeholders:

(A) Federal, State, and local governments.

(B) Tribal governments.

(C) Academic and research institutions.

(D) Entities from the private sector.

(E) Nongovernmental organizations.

(9) To evaluate the extent to which the stakeholders described in paragraph (8) have been engaged as partners and collaborators in the Initiative.

(10) To assist the Under Secretary in facilitating the development of the annual report required by section 5(f).

(11) To review such report and provide comments to the Under Secretary.

(12) To submit to the National Science and Technology Council and to Congress, together with documents submitted to Congress in support of the budget of the President for the 2012 fiscal year (as submitted pursuant to section 1105 of title 31, United States Code), a report containing a comprehensive review of the progress of the Initiative in meeting the needs of the United States to understand hurricanes, their impacts on natural and built environment, and methods to mitigate such impacts.

(g) ADVISORY BODIES.—

(1) AUTHORITY TO ESTABLISH.—The Task Force may establish such advisory bodies as the Task Force considers necessary to assist the Task Force in its duties under subsection (f).

(2) CRITERIA.—An advisory body established under paragraph (1) shall represent a broad variety of private and public interests.

(h) ADVISORS TO THE TASK FORCE.—The Task Force may seek advice and input from any interested, knowledgeable, or affected party as the Task Force considers necessary to carry out the duties under subsection (f).

(i) COMPENSATION.—

(1) IN GENERAL.—All members of the Task Force who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.

(j) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairpersons may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which 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 such title.

(k) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(l) EXEMPTION FROM FACA NOTICE REQUIREMENT FOR TASK FORCE ADVISORY BODIES.—An advisory body established by the Task Force under subsection (g) shall not be subject to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 10(a)(2)).

(m) TERMINATION OF TASK FORCE.—The Task Force shall terminate on September 30, 2018.

SEC. 7. NATIONAL HURRICANE RESEARCH.

(a) NATIONAL SCIENCE FOUNDATION COMPETITIVE GRANT RESEARCH PROGRAM.—

(1) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Under Secretary, shall establish a program to award grants to eligible entities to carry out—

(A) research described in subsection (c); or

(B) other research that is consistent with the research objectives established under section 5(c)(1).

(2) SELECTION.—The National Science Foundation shall select grant recipients under this section through its merit review process.

(b) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RESEARCH PROGRAM.—

(1) IN GENERAL.—The Under Secretary shall carry out a program of research described in subsection (c) or other research that is consistent with the research objectives established under section 5(c)(1).

(2) RESEARCH ACTIVITIES.—Research carried out under paragraph (1) may be carried out through—

(A) intramural research;

(B) awarding grants to eligible entities to carry out research;

(C) contracting with eligible entities to carry out research; or

(D) entering into cooperative agreements to carry out research.

(c) RESEARCH.—The research described in this subsection is research that is consistent with the purposes described in section 5(a)(2) and is described by one or more of the following:

(1) FUNDAMENTAL HURRICANE RESEARCH.—Fundamental hurricane research, which may consist of the following:

(A) COMMUNITY RESEARCH MODELS.—Research to support continued development and maintenance of community weather research and forecast models recommended by the Task Force under section 6(f)(5), including advanced methods of observing storm structure and assimilating observations into the models, in which the agency or institution hosting the models ensures broad access and use of the model by members of the Task Force and the civilian research community.

(B) PREDICTING HURRICANE INTENSITY AND STRUCTURE.—Research to improve understanding and prediction of—

(i) storm formation and tracking with extended time scale to weeks in advance;

(ii) rapid changes in storm size, motion, structure, and intensity;

(iii) the internal dynamics of storms;

(iv) the transition to extratropical characteristics as storms move poleward; and

(v) the interactions of storms with environmental conditions, including the atmosphere, ocean, and land surface.

(C) UNDERSTANDING AIR AND SEA INTERACTIONS.—Research regarding observations, theory, and modeling to improve understanding of air and sea interaction in hurricanes and other high wind speed environments.

(D) PREDICTING STORM SURGE, WAVES, RAINFALL, INLAND FLOODING, AND STRONG WINDS PRODUCED BY HURRICANES.—Research to understand, model, and predict rainfall, coastal and riverline flooding, high winds, and the potential occurrence of tornadoes, including probabilistic modeling, mapping, and visualization of risk.

(E) RELATIONSHIPS BETWEEN HURRICANES AND CLIMATE VARIABILITY AND CHANGE.—Research to improve the understanding of the complex relationships between hurricanes and climate on seasonal to decadal time scales, such as research to determine the most effective methods to use observational information and numerical-model simulations to examine short-term and long-term impacts of climate on changes in storm intensity, geographic distribution, and frequency.

(F) RELATIONSHIPS BETWEEN HURRICANES AND ECOSYSTEMS.—Research to improve the understanding of how hurricanes affect ecosystems, landscapes, and natural resources and to develop assessments for hurricane vulnerability and risk, including—

(i) how ecosystems have been influenced by past hurricanes and the ability and capacity of ecosystems to recover from the effects of hurricanes;

(ii) how ecosystem management practices can minimize disruptions to ecosystem functions and dependent economic uses as a result of hurricanes; and

(iii) the role of natural features, such as barrier islands, wetlands, and mangroves, in—

(I) acting as natural buffers to wind and flood forces; and

(II) improving coastal resiliency.

(2) TECHNOLOGY ASSESSMENT AND DEVELOPMENT.—Technology assessment and development, which may consist of the following:

(A) IMPROVED OBSERVATION OF HURRICANES AND TROPICAL STORMS.—Research to improve hurricane and tropical storm observations and to improve the understanding of the complex nature of storms and their interaction with the natural and built environment through development and application of new technologies, such as—

(i) mobile radars and advanced airborne observing technologies;

(ii) global positioning system technology;

(iii) unmanned vehicles;

(iv) satellite-based sensors;

(v) ground-based and aerial wireless sensors; and

(vi) other geospatial technologies and geospatial data, including bathymetry and elevation.

(B) COMPUTATIONAL CAPABILITY.—Research and development of robust computational capabilities and facilities required to conduct numerical and other types of modeling that support the scientific studies and research carried out under the Initiative as well as data acquisition and modeling during hurricane events, including research to improve understanding of the efficient utility of multiple models that—

(i) require sharing and interoperability of databases, computing environments, networks, visualization tools, and analytic systems that improve on such technologies that are available on the date of the enactment of this Act; and

(ii) are used for transitioning hurricane research assets into operational practice.

(C) TECHNOLOGIES FOR DISASTER RESPONSE AND RECOVERY.—Research to improve damage assessments after a hurricane and emergency communications during hurricane response and recovery, including improvements to—

(i) communications networks for government agencies and nongovernmental entities;

(ii) network interoperability;

(iii) cyber-security during hurricane or storm related emergencies; and

(iv) use of models, remote sensing, and statistically based ground sampling to support effective and rapid damage assessment to scale disaster response and recovery needs.

(3) RESEARCH INTEGRATION, TRANSITION, AND APPLICATION.—Research on integration, transition, and application of research results, which may consist of the following:

(A) TRANSITION OF RESEARCH TO OPERATIONS.—Research to develop mechanisms to accelerate the application of improved models, observations, communication, and risk assessment systems, and related research products to forecasting and other operational settings, including use of 1 or more developmental test beds.

(B) ASSESSING VULNERABLE INFRASTRUCTURE.—Developing a national engineering assessment and clearinghouse of coastal infrastructure by leveraging and building upon existing Federal activities, resources, and research, including infrastructure related to levees, sea walls, and similar coastal flood-protection structures, drainage systems, bridges, water and sewage utilities, power, and communications, to determine the level of vulnerability of such infrastructure to damage from hurricanes.

(C) INTERACTION OF HURRICANES WITH ENGINEERED STRUCTURES.—Research to improve understanding of the impacts of hurricanes and tropical storms on buildings, structures, and housing combined with modeling that is essential for guiding the creation of improved building designs and construction codes in locations particularly vulnerable to hurricanes.

(D) EVACUATION PLANNING.—Research to improve the manner in which hurricane-related information is provided to, and utilized by, the public and government officials, including research to assist officials of State, tribal, regional, or local governments in—

(i) determining the circumstances in which evacuations are required; and

(ii) carrying out such evacuations.

(E) DECISION SUPPORT.—Research to—

(i) assess the social, behavioral, and economic factors that influence decision making by the public, government officials, nongovernmental entities, the private sector, and other impacted populations before, during, and in the aftermath of hurricanes;

(ii) improve the translation of natural science and engineering research carried out under the Initiative into informed decision making that enables communities, economies, and the man-made and natural environments to become resilient to hurricane impacts, including development of effective risk and vulnerability assessment and risk communication tools; and

(iii) develop methods of assessing disaster recovery costs, both government and nongovernment, and of comparing the relative benefits of disaster mitigation methods with disaster recovery costs.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for fiscal years 2010 through 2015 amounts as follows:

(1) To the Under Secretary, $18,750,000 to carry out sections 5, 6, and 7(b), of which not less than $13,750,000 shall be used to carry such section 7(b).

(2) To the Director of the National Science Foundation, $56,250,000 to carry out sections 5 and 7(a).

(b) INTERAGENCY TRANSFER OF FUNDS.—

(1) TRANSFERS BY UNDER SECRETARY FOR OCEANS AND ATMOSPHERE.—Of amounts appropriated pursuant to the authorization of appropriations under subsection (a)(1), the Under Secretary may transfer to the heads of other Federal agencies such amounts as the Under Secretary considers appropriate to carry out sections 5, 6, and 7(b).

(2) TRANSFERS BY DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION.—Of amounts appropriated pursuant to the authorization of appropriations under subsection (a)(2), the Director of the National Science Foundation may transfer to the heads of other Federal agencies such amounts as the Director considers appropriate to carry out sections 5 and 7(a).

SEC. 9. INDEPENDENT REVIEW.

(a) AGREEMENT.—

(1) IN GENERAL.—The Under Secretary shall seek to enter into an agreement with the National Research Council of the National Academies for the National Research Council to perform the services covered by this section.

(2) TIMING.—The Under Secretary shall seek to enter into the agreement described in paragraph (1) not later than 180 days after the date of the enactment of this Act.

(b) INDEPENDENT REVIEW OF NATIONAL HURRICANE RESEARCH INITIATIVE.—Under an agreement between the Under Secretary and the National Research Council under this section, the National Research Council shall carry out an independent review of the Initiative. In carrying out the review, the National Research Council shall review the following:

(1) Whether the Initiative has well-defined, prioritized, and appropriate research objectives.

(2) Whether the Initiative is properly coordinated among relevant Federal agencies and stakeholders.

(3) Whether the Initiative has allocated appropriate resources to each of the research objectives.

(4) Whether suitable mechanisms exist for transitioning the research results from the Initiative into operational technologies and procedures and activities in a timely manner.

(c) REPORT.—Not later than 4 years after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives a report on the results of the review carried out under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Under Secretary, $750,000 to carry out this section.

S. 1486

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 ''Policyholder Disaster Protection Act of 2009''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Rising costs resulting from natural disasters are placing an increasing strain on the ability of property and casualty insurance companies to assure payment of homeowners' claims and other insurance claims arising from major natural disasters now and in the future.

(2) Present tax laws do not provide adequate incentives to assure that natural disaster insurance is provided or, where such insurance is provided, that funds are available for payment of insurance claims in the event of future catastrophic losses from major natural disasters, as present law requires an insurer wishing to accumulate surplus assets for this purpose to do so entirely from its after-tax retained earnings.

(3) Revising the tax laws applicable to the property and casualty insurance industry to permit carefully controlled accumulation of pretax dollars in separate reserve funds devoted solely to the payment of claims arising from future major natural disasters will provide incentives for property and casualty insurers to make natural disaster insurance available, will give greater protection to the Nation's homeowners, small businesses, and other insurance consumers, and will help assure the future financial health of the Nation's insurance system as a whole.

(4) Implementing these changes will reduce the possibility that a significant portion of the private insurance system would fail in the wake of a major natural disaster and that governmental entities would be required to step in to provide relief at taxpayer expense.

SEC. 3. CREATION OF POLICYHOLDER DISASTER PROTECTION FUNDS; CONTRIBUTIONS TO AND DISTRIBUTIONS FROM FUNDS; OTHER RULES.

(a) CONTRIBUTIONS TO POLICYHOLDER DISASTER PROTECTION FUNDS.—Subsection (c) of section 832 of the Internal Revenue Code of 1986 (relating to the taxable income of insurance companies other than life insurance companies) is amended by striking ''and'' at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting ''; and'', and by adding at the end the following new paragraph:

''(14) the qualified contributions to a policyholder disaster protection fund during the taxable year.''.

(b) DISTRIBUTIONS FROM POLICYHOLDER DISASTER PROTECTION FUNDS.—Paragraph (1) of section 832(b) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (D), by striking the period at the end of subparagraph (E) and inserting '', and'', and by adding at the end the following new subparagraph:

''(F) the amount of any distributions from a policyholder disaster protection fund during the taxable year, except that a distribution made to return to the qualified insurance company any contribution which is not a qualified contribution (as defined in subsection (h)) for a taxable year shall not be included in gross income if such distribution is made prior to the filing of the tax return for such taxable year.''.

(c) DEFINITIONS AND OTHER RULES RELATING TO POLICYHOLDER DISASTER PROTECTION FUNDS.—Section 832 of the Internal Revenue Code of 1986 (relating to insurance company taxable income) is amended by adding at the end the following new subsection:

''(h) DEFINITIONS AND OTHER RULES RELATING TO POLICYHOLDER DISASTER PROTECTION FUNDS.—For purposes of this section—

''(1) POLICYHOLDER DISASTER PROTECTION FUND.—The term 'policyholder disaster protection fund' (hereafter in this subsection referred to as the 'fund') means any custodial account, trust, or any other arrangement or account—

''(A) which is established to hold assets that are set aside solely for the payment of qualified losses, and

''(B) under the terms of which—

''(i) the assets in the fund are required to be invested in a manner consistent with the investment requirements applicable to the qualified insurance company under the laws of its jurisdiction of domicile,

''(ii) the net income for the taxable year derived from the assets in the fund is required to be distributed no less frequently than annually,

''(iii) an excess balance drawdown amount is required to be distributed to the qualified insurance company no later than the close of the taxable year following the taxable year for which such amount is determined,

''(iv) a catastrophe drawdown amount may be distributed to the qualified insurance company if distributed prior to the close of the taxable year following the year for which such amount is determined,

''(v) a State required drawdown amount may be distributed, and

''(vi) no distributions from the fund are required or permitted other than the distributions described in clauses (ii) through (v) and the return to the qualified insurance company of contributions that are not qualified contributions.

''(2) QUALIFIED INSURANCE COMPANY.—The term 'qualified insurance company' means any insurance company subject to tax under section 831(a).

''(3) QUALIFIED CONTRIBUTION.—The term 'qualified contribution' means a contribution to a fund for a taxable year to the extent that the amount of such contribution, when added to the previous contributions to the fund for such taxable year, does not exceed the excess of—

''(A) the fund cap for the taxable year, over

''(B) the fund balance determined as of the close of the preceding taxable year.

''(4) EXCESS BALANCE DRAWDOWN AMOUNTS.—The term 'excess balance drawdown amount' means the excess (if any) of—

''(A) the fund balance as of the close of the taxable year, over

''(B) the fund cap for the following taxable year.

''(5) CATASTROPHE DRAWDOWN AMOUNT.—

''(A) IN GENERAL.—The term 'catastrophe drawdown amount' means an amount that does not exceed the lesser of the amount determined under subparagraph (B) or (C).

''(B) NET LOSSES FROM QUALIFYING EVENTS.—The amount determined under this subparagraph shall be equal to the qualified losses for the taxable year determined without regard to clause (ii) of paragraph (8)(A).

''(C) GROSS LOSSES IN EXCESS OF THRESHOLD.—The amount determined under this subparagraph shall be equal to the excess (if any) of—

''(i) the qualified losses for the taxable year, over

''(ii) the lesser of—

''(I) the fund cap for the taxable year (determined without regard to paragraph (9)(E)), or

''(II) 30 percent of the qualified insurance company's surplus as regards policyholders as shown on the company's annual statement for the calendar year preceding the taxable year.

''(D) SPECIAL DRAWDOWN AMOUNT FOLLOWING A RECENT CATASTROPHE LOSS YEAR.—If for any taxable year included in the reference period the qualified losses exceed the amount determined under subparagraph (C)(ii), the 'catastrophe drawdown amount' shall be an amount that does not exceed the lesser of the amount determined under subparagraph (B) or the amount determined under this subparagraph. The amount determined under this subparagraph shall be an amount equal to the excess (if any) of—

''(i) the qualified losses for the taxable year, over

''(ii) the lesser of—

''(I) ⅓ of the fund cap for the taxable year (determined without regard to paragraph (9)(E)), or

''(II) 10 percent of the qualified insurance company's surplus as regards policyholders as shown on the company's annual statement for the calendar year preceding the taxable year.

''(E) REFERENCE PERIOD.—For purposes of subparagraph (D), the reference period shall be determined under the following table:

''For a taxable year beginning in—	The reference period shall be—
2012 and later ...	The 3 preceding taxable years.
2011	The 2 preceding taxable years.
2010	The preceding taxable year.
2008 or before ...	No reference period applies.

''(6) STATE REQUIRED DRAWDOWN AMOUNT.—The term 'State required drawdown amount' means any amount that the department of insurance for the qualified insurance company's jurisdiction of domicile requires to be distributed from the fund, to the extent such amount is not otherwise described in paragraph (4) or (5).

''(7) FUND BALANCE.—The term 'fund balance' means—

''(A) the sum of all qualified contributions to the fund,

''(B) less any net investment loss of the fund for any taxable year or years, and

''(C) less the sum of all distributions under clauses (iii) through (v) of paragraph (1)(B).

''(8) QUALIFIED LOSSES.—

''(A) IN GENERAL.—The term 'qualified losses' means, with respect to a taxable year—

''(i) the amount of losses and loss adjustment expenses incurred in the qualified lines of business specified in paragraph (9), net of reinsurance, as reported in the qualified insurance company's annual statement for the taxable year, that are attributable to one or more qualifying events (regardless of when such qualifying events occurred),

''(ii) the amount by which such losses and loss adjustment expenses attributable to such qualifying events have been reduced for reinsurance received and recoverable, plus

''(iii) any nonrecoverable assessments, surcharges, or other liabilities that are borne by the qualified insurance company and are attributable to such qualifying events.

''(B) QUALIFYING EVENT.—For purposes of subparagraph (A), the term 'qualifying event' means any event that satisfies clauses (i) and (ii).

''(i) EVENT.—An event satisfies this clause if the event is 1 or more of the following:

''(I) Windstorm (hurricane, cyclone, or tornado).

''(II) Earthquake (including any fire following).

''(III) Winter catastrophe (snow, ice, or freezing).

''(IV) Fire.

''(V) Tsunami.

''(VI) Flood.

''(VII) Volcanic eruption.

''(VIII) Hail.

''(ii) CATASTROPHE DESIGNATION.—An event satisfies this clause if the event—

''(I) is designated a catastrophe by Property Claim Services or its successor organization,

''(II) is declared by the President to be an emergency or disaster, or

''(III) is declared to be an emergency or disaster in a similar declaration by the chief executive official of a State, possession, or territory of the United States, or the District of Columbia.

''(9) FUND CAP.—

''(A) IN GENERAL.—The term 'fund cap' for a taxable year is the sum of the separate lines of business caps for each of the qualified lines of business specified in the table contained in subparagraph (C) (as modified under subparagraphs (D) and (E)).

''(B) SEPARATE LINES OF BUSINESS CAP.—For purposes of subparagraph (A), the separate lines of business cap, with respect to a qualified line of business specified in the table contained in subparagraph (C), is the product of—

''(i) net written premiums reported in the annual statement for the calendar year preceding the taxable year in such line of business, multiplied by

''(ii) the fund cap multiplier applicable to such qualified line of business.

''(C) QUALIFIED LINES OF BUSINESS AND THEIR RESPECTIVE FUND CAP MULTIPLIERS.—For purposes of this paragraph, the qualified lines of business and fund cap multipliers specified in this subparagraph are those specified in the following table:

''Line of Business on Annual Statement Blank:	**Fund Cap** Multiplier:
Fire	0.25
Allied	1.25
Farmowners Multiple Peril	0.25
Homeowners Multiple Peril	0.75
Commercial Multi Peril (non-liability portion)	0.50
Earthquake	13.00
Inland Marine	0.25.

''(D) SUBSEQUENT MODIFICATIONS OF THE ANNUAL STATEMENT BLANK.—If, with respect to any taxable year beginning after the effective date of this subsection, the annual statement blank required to be filed is amended to replace, combine, or otherwise modify any of the qualified lines of business specified in subparagraph (C), then for such taxable year subparagraph (C) shall be applied in a manner such that the fund cap shall be the same amount as if such reporting modification had not been made.

''(E) 20-YEAR PHASE-IN.—Notwithstanding subparagraph (C), the fund cap for a taxable year shall be the amount determined under subparagraph (C), as adjusted pursuant to subparagraph (D) (if applicable), multiplied by the phase-in percentage indicated in the following table:

''Taxable year beginning in:	Phase-in percentage to be applied to fund cap computed under subparagraphs (A) and (B)
2009	5 percent
2010	10 percent
2011	15 percent
2012	20 percent
2013	25 percent
2014	30 percent
2015	35 percent
2016	40 percent
2017	45 percent
2018	50 percent
2019	55 percent
2020	60 percent
2021	65 percent
2022	70 percent
2023	75 percent
2024	80 percent
2025	85 percent
2026	90 percent
2027	95 percent
2028 and later	100 percent.

''(10) TREATMENT OF INVESTMENT INCOME AND GAIN OR LOSS.—

''(A) CONTRIBUTIONS IN KIND.—A transfer of property other than money to a fund shall be treated as a sale or exchange of such property for an amount equal to its fair market value as of the date of transfer, and appropriate adjustment shall be made to the basis of such property. Section 267 shall apply to any loss realized upon such a transfer.

''(B) DISTRIBUTIONS IN KIND.—A transfer of property other than money by a fund to the qualified insurance company shall not be treated as a sale or exchange or other disposition of such property. The basis of such property immediately after such transfer shall be the greater of the basis of such property immediately before such transfer or the fair market value of such property on the date of such transfer.

''(C) INCOME WITH RESPECT TO FUND ASSETS.—Items of income of the type described in paragraphs (1)(B), (1)(C), and (2) of subsection (b) that are derived from the assets held in a fund, as well as losses from the sale or other disposition of such assets, shall be considered items of income, gain, or loss of the qualified insurance company. Notwithstanding paragraph (1)(F) of subsection (b), distributions of net income to the qualified insurance company pursuant to paragraph (1)(B)(ii) of this subsection shall not cause such income to be taken into account a second time.

''(11) NET INCOME; NET INVESTMENT LOSS.—For purposes of paragraph (1)(B)(ii), the net income derived from the assets in the fund for the taxable year shall be the items of income and gain for the taxable year, less the items of loss for the taxable year, derived from such assets, as described in paragraph (10)(C). For purposes of paragraph (7), there is a net investment loss for the taxable year to the extent that the items of loss described in the preceding sentence exceed the items of income and gain described in the preceding sentence.

''(12) ANNUAL STATEMENT.—For purposes of this subsection, the term 'annual statement' shall have the meaning set forth in section 846(f)(3).

''(13) EXCLUSION OF PREMIUMS AND LOSSES ON CERTAIN PUERTO RICAN RISKS.—Notwithstanding any other provision of this subsection, premiums and losses with respect to risks covered by a catastrophe reserve established under the laws or regulations of the Commonwealth of Puerto Rico shall not be taken into account under this subsection in determining the amount of the fund cap or the amount of qualified losses.

''(14) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection, including regulations—

''(A) which govern the application of this subsection to a qualified insurance company having a taxable year other than the calendar year or a taxable year less than 12 months,

''(B) which govern a fund maintained by a qualified insurance company that ceases to be subject to this part, and

''(C) which govern the application of paragraph (9)(D).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

S. 1487

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 ''Commission on Catastrophic Disaster Risk and Insurance Act of 2009''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Hurricanes Katrina, Rita, and Wilma, which struck the United States in 2005, caused over $200 billion in total economic losses, including insured and uninsured losses.

(2) Although private sector insurance is currently available to spread some catastrophe-related losses throughout the Nation and internationally, most experts believe there will be significant insurance and reinsurance shortages, resulting in dramatic rate increases for consumers and businesses, and the unavailability of catastrophe insurance.

(3) The Federal Government has provided and will continue to provide billions of dollars and resources to pay for losses from catastrophes, including hurricanes, volcanic eruptions, tsunamis, tornados, and other disasters, at huge costs to American taxpayers.

(4) The Federal Government has a critical interest in ensuring appropriate and fiscally responsible risk management of catastrophes. Mortgages require reliable property insurance, and the unavailability of reliable property insurance would make most real estate transactions impossible. In addition, the public health, safety, and welfare demand that structures damaged or destroyed in a catastrophe be reconstructed as soon as possible. Therefore, the inability of the private sector insurance and reinsurance markets to maintain sufficient capacity to enable Americans to obtain property insurance coverage in the private sector endangers the national economy and the public health, safety, and welfare.

(5) Multiple proposals have been introduced in the United States Congress over the past decade to address catastrophic risk insurance, including the creation of a national catastrophic reinsurance fund and the revision of the Federal tax code to allow insurers to use tax-deferred catastrophe funds, yet Congress has failed to act on any of these proposals.

(6) To the extent the United States faces high risks from catastrophe exposure, essential technical information on financial structures and innovations in the catastrophe insurance market is needed.

(7) The most efficient and effective approach to assessing the catastrophe insurance problem in the public policy context is to establish a bipartisan commission of experts to study the management of catastrophic disaster risk, and to require such commission to timely report its recommendations to Congress so that Congress can quickly craft a solution to protect the American people.

SEC. 3. ESTABLISHMENT.

There is established a bipartisan Commission on Catastrophic Disaster Risk and Insurance (in this Act referred to as the ''Commission'').

SEC. 4. MEMBERSHIP.

(a) MEMBERS.—The Commission shall be composed of the following:

(1) The Administrator of the Federal Emergency Management Agency or a designee of the Administrator.

(2) The Administrator of the National Oceanic and Atmospheric Administration or a designee of the Administrator.

(3) 12 additional members or their designees of whom one shall be—

(A) a representative of a consumer group;

(B) a representative of a primary insurance company;

(C) a representative of a reinsurance company;

(D) an independent insurance agent with experience in writing property and casualty insurance policies;

(E) a State insurance regulator;

(F) a State emergency operations official;

(G) a scientist;

(H) a faculty member of an accredited university with experience in risk management;

(I) a member of nationally recognized think tank with experience in risk management;

(J) a homebuilder with experience in structural engineering;

(K) a mortgage lender; and

(L) a nationally recognized expert in antitrust law.

(b) MANNER OF APPOINTMENT.—

(1) IN GENERAL.—Any member of the Commission described under subsection (a)(3) shall be appointed only upon unanimous agreement of—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(2) CONSULTATION.—In making any appointment under paragraph (1), each individual described in paragraph (1) shall consult with the President.

(c) ELIGIBILITY LIMITATION.—Except as provided in subsection (a), no member or officer of the Congress, or other member or officer of the Executive Branch of the United States Government or any State government may be appointed to be a member of the Commission.

(d) PERIOD OF APPOINTMENT.—

(1) IN GENERAL.—Each member of the Commission shall be appointed for the life of the Commission.

(2) VACANCIES.—A vacancy on the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment was made.

(e) QUORUM.—

(1) MAJORITY.—A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(2) APPROVAL ACTIONS.—All recommendations and reports of the Commission required by this Act shall be approved only by a majority vote of a quorum of the Commission.

(f) CHAIRPERSON.—The majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall jointly select 1 member appointed pursuant to subsection (a) to serve as the Chairperson of the Commission.

(g) MEETINGS.—The Council shall meet at the call of its Chairperson or a majority of its members at any time.

SEC. 5. DUTIES OF THE COMMISSION.

The Commission shall—

(1) assess—

(A) the condition of the property and casualty insurance and reinsurance markets in the aftermath of Hurricanes Katrina, Rita, and Wilma in 2005, and the 4 major hurricanes that struck the United States in 2004; and

(B) the ongoing exposure of the United States to earthquakes, volcanic eruptions, tsunamis, and floods; and

(2) recommend and report, as required under section 6, any necessary legislative and regulatory changes that will—

(A) improve the domestic and international financial health and competitiveness of such markets; and

(B) assure consumers of the—

(i) availability of adequate insurance coverage when an insured event occurs; and

(ii) best possible range of insurance products at competitive prices.

SEC. 6. REPORT.

(a) IN GENERAL.—Not later than 90 days after the appointment of Commission members under section 4, the Commission shall submit to the President and the Congress a final report containing a detailed statement of its findings, together with any recommendations for legislation or administrative action that the Commission considers appropriate, in accordance with the requirements of section 5.

(b) CONSIDERATIONS.—In developing any recommendations under subsection (a), the Commission shall consider—

(1) the catastrophic insurance and reinsurance market structures and the relevant commercial practices in such insurance industries in providing insurance protection to different sectors of the American population;

(2) the constraints and opportunities in implementing a catastrophic insurance system that can resolve key obstacles currently impeding broader implementation of catastrophe risk management and financing with insurance;

(3) methods to improve risk underwriting practices, including—

(A) analysis of modalities of risk transfer for potential financial losses;

(B) assessment of private securitization of insurances risks;

(C) private-public partnerships to increase insurance capacity in constrained markets; and

(D) the financial feasibility and sustainability of a national catastrophe pool or regional catastrophe pools designed to provide adequate insurance coverage and increased underwriting capacity to insurers and reinsurers;

(4) approaches for implementing a public insurance scheme for low-income communities, in order to promote risk reduction and explicit insurance coverage in such communities;

(5) methods to strengthen insurance regulatory requirements and supervision of such requirements, including solvency for catastrophic risk reserves;

(6) methods to promote public insurance policies linked to programs for loss reduction in the uninsured sectors of the American population;

(7) methods to strengthen the risk assessment and enforcement of structural mitigation and vulnerability reduction measures, such as zoning and building code compliance;

(8) the appropriate role for the Federal Government in stabilizing the property and casualty insurance and reinsurance markets, with an analysis—

(A) of options such as—

(i) a reinsurance mechanism;

(ii) the modernization of Federal taxation policies; and

(iii) an ''insurance of last resort'' mechanism; and

(B) how to fund such options; and

(9) the merits of 3 principle legislative proposals introduced in the 109th Congress, namely:

(A) The creation of a Federal catastrophe fund to act as a backup to State catastrophe funds (S. 3117);

(B) Tax-deferred catastrophe accounts for insurers (S. 3115); and

(C) Tax-free catastrophe accounts for policyholders (S. 3116).

SEC. 7. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission or, at the direction of the Commission, any subcommittee or member of the Commission, may, for the purpose of carrying out this Act—

(1) hold such public hearings in such cities and countries, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths or affirmations as the Commission or such subcommittee or member considers advisable; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Commission or such subcommittee or member considers advisable.

(b) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(1) ISSUANCE.—Subpoenas issued under subsection (a) shall bear the signature of the Chairperson of the Commission and shall be served by any person or class of persons designated by the Chairperson for that purpose.

(2) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(3) CONFIDENTIALITY.—

(A) IN GENERAL.—Information obtained under a subpoena issued under subsection (a) which is deemed confidential, or with reference to which a request for confidential treatment is made by the person furnishing such information—

(i) shall be exempt from disclosure under section 552 of title 5, United States Code; and

(ii) shall not be published or disclosed unless the Commission determines that the withholding of such information is contrary to the interest of the United States.

(B) EXCEPTION.—The requirements of subparagraph (A) shall not apply to the publication or disclosure of any data aggregated in a manner that ensures protection of the identity of the person furnishing such data.

(c) AUTHORITY OF MEMBERS OR AGENTS OF THE COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this Act.

(d) OBTAINING OFFICIAL DATA.—

(1) AUTHORITY.—Notwithstanding any provision of section 552a of title 5, United States Code, the Commission may secure directly from any department or agency of the United States any information necessary to enable the Commission to carry out the purposes of this Act.

(2) PROCEDURE.—Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish the information requested to the Commission.

(e) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, any administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(g) GIFTS.—

(1) IN GENERAL.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(2) REGULATIONS.—The Commission shall adopt internal regulations governing the receipt of gifts or donations of services or property similar to those described in part 2601 of title 5, Code of Federal Regulations.

SEC. 8. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) SUBCOMMITTEES.—The Commission may establish subcommittees and appoint persons to such subcommittees as the Commission considers appropriate.

(d) STAFF.—Subject to such policies as the Commission may prescribe, the Chairperson of the Commission may appoint and fix the pay of such additional personnel as the Chairperson considers appropriate to carry out the duties of the Commission.

(e) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—Subcommittee members and staff of the Commission may be—

(1) appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(2) paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay prescribed for GS–18 of the General Schedule under section 5332 of that title.

(f) EXPERTS AND CONSULTANTS.—In carrying out its objectives, the Commission may procure temporary and intermittent services of consultants and experts under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for GS–18 of the General Schedule under section 5332 of that title.

(g) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Chairperson of the Commission, any Federal Government employee may be detailed to the Commission to assist in carrying out the duties of the Commission—

(1) on a reimbursable basis; and

(2) such detail shall be without interruption or loss of civil service status or privilege.

SEC. 9. TERMINATION.

The Commission shall terminate 60 days after the date on which the Commission submits its report under section 6.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $5,000,000 to carry out the purposes of this Act.

By Mr. BURRIS:

S. 1488. A bill to extend temporarily the 18-month period of continuation coverage under group health plans required under COBRA continuation coverage provisions so as to provide for a total period of continuation coverage of up to 24 months; to the Committee on Health, Education, Labor, and Pensions.

Mr. BURRIS. Mr. President, today I rise to address a growing problem resulting from America's high levels of unemployment and economic downturn. Congress is working to design health reform that will provide access to quality, affordable insurance coverage for every American, but as unemployment numbers continue to rise, help may not come in time to avoid coverage denials on the individual insurance market and unbearable economic strain for those job seekers whose COBRA coverage has expired.

The Comprehensive Omnibus Budget Reconciliation Act of 1985 codified 18 months of additional group rate coverage under employer sponsored plans following a triggering event such as job loss. This law has been instrumental in providing continuity of health coverage for families. The measure requires companies with over 20 employees to provide access to 18 months of continued coverage at the employee's expense, except in cases of firing for gross employee misconduct. Beneficiaries cover the additional administrative expense, and may be charged up to 103 percent of their original premiums.

The American Reinvestment and Recovery Act provided help with health insurance for families who lost their jobs after September 1, 2008 and through December of 2009. For those in this category, the federal government provides nine months of subsidized premiums, with beneficiaries covering 35 percent of premium costs. However, the downturn started well before September of 2008.

For those that lost their job before September, and are still looking for work, the situation is dire. Many are quickly facing the end of their 18 month eligibility period for COBRA. They hear about health reform but have no idea when it may come. Insurance exchanges to guaranteeing eligibility and reasonable premiums on the individual market could take years to set up. In the mean time, those who could have afforded coverage under COBRA may instead have to resort to emergency room care and bankruptcy.

The Emergency COBRA Expansion Act of 2009 will give job seekers the opportunity to continue their COBRA coverage for up to an additional 6 months. The bill applies to all of those utilizing COBRA benefits as of the date of bill passage, and would not extend anyone's coverage beyond 12 months from the date of bill enactment. A year from now, our country will be on the road to economic recovery, but in the meantime we need to help struggling families to stay insured and healthy.

By Ms. SNOWE:

S. 1489. A bill to amend the Small Business Act to create parity among small business contracting programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, as Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I rise to introduce this bill in order to correct disparities among the Small Business Administration's small business contracting programs. Building on my efforts to bring true parity to the program, this bill will create a more equitable and flexible method for federal agencies to fairly allocate federal procurement dollars to small business contractors across the nation. Earlier this year, I filed an amendment, cosponsored by my colleague from Maine, Senator COLLINS, to create parity as part of S. 454, the Weapon

Systems Acquisition Reform Act of 2009. Unfortunately, that amendment was not accepted.

For years it has been unclear to the acquisition community what, if any, the true order of preference is for determining which small business contracting program is at the top of the agency's priority list. The SBA's regulations state that there is parity among the programs, and this had been the general practice in effect until two Government Accountability Office decisions were released on September 19, 2008 and May 4, 2009.

The decisions stated that the Historically Underutilized Business Zone, HUBZone, program had preference over all other small business contracting programs. While the interpretation benefits HUBZone businesses, it comes at the expense of other vital small business contracting programs. This targeted bill provides equity for the SBA's small business contracting programs.

The bill provides Federal agencies with the necessary flexibility to satisfy their government-wide statutory small business contracting goals. This bill makes clear to purchasing agencies that contracting officers may award contracts to HUBZone, Service Disabled Veterans, 8(a), or women-owned firms with equal deference to each program. It would provide these agencies with the ability to achieve their goaling requirements equally through an award to a HUBZone firm, a service-disabled veteran-owned small business, and a small business participating in the 8(a) business development program. Of course this list will also include women-owned small businesses once the women's procurement program is fully implemented by the SBA.

In addition, this bill brings the SBA's contracting programs closer to true parity by giving HUBZones a subcontracting goal. HUBZones are the only small business contracting program without a subcontracting goal. In addition, the bill authorizes mentor protégé programs modeled after those used in the 8(a) program for HUBZones, service-disabled veteran and women-owned firms.

The essence of true parity is where each program has an equal chance of competing and being selected for an award. During these difficult economic times, it is imperative that small business contractors possess an equal opportunity to compete for Federal contracts on the same playing field with each other.

I urge my colleagues on both sides of the aisle to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 218—MAKING MINORITY PARTY APPOINTMENTS FOR THE 111TH CONGRESS

Mr. McCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 218

Resolved, That the following be the minority membership on the following committees for the remainder of the 111th Congress, or until their successors are appointed:

COMMITTEE ON AGRICULTURE NUTRITION AND FORESTRY: Mr. Chambliss, Mr. Lugar, Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Johanns, Mr. Grassley, Mr. Thune, and Mr. Cornyn.

COMMITTEE ON FOREIGN RELATIONS: Mr. Lugar, Mr. Corker, Mr. Isakson, Mr. Risch, Mr. DeMint, Mr. Barrasso, Mr. Wicker, and Mr. Inhofe.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins, Mr. Coburn, Mr. McCain, Mr. Voinovich, Mr. Ensign, Mr. Graham, and Mr. Bennett.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Snowe, Mr. Bond, Mr. Vitter, Mr. Thune, Mr. Enzi, Mr. Isakson, Mr. Wicker, and Mr. Risch.

SPECIAL COMMITTEE ON AGING: Mr. Martinez, Mr. Shelby, Ms. Collins, Mr. Corker, Mr. Hatch, Mr. Brownback, Mr. Graham, and Mr. Chambliss.

SENATE RESOLUTION 219—HONORING THE HOCKEY TEAM OF EAST SIDE HIGH SCHOOL IN NEWARK, NEW JERSEY

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 219

Whereas adolescents who lack a structured, after-school environment are at high risk of delinquency, poor academic performance, and illicit behavior;

Whereas the lack of a structured after-school environment is especially prevalent in inner-city communities such as Newark, New Jersey;

Whereas athletic organizations provide a safe after-school environment in which adolescents learn about commitment, dedication, and teamwork;

Whereas East Side High School in Newark, New Jersey, formed a hockey team;

Whereas members of the East Side High School hockey team have shown resilience, dedication, and continuous improvement;

Whereas the New Jersey Devils offered assistance to the East Side High School hockey team, including access to the New Jersey Devils practice hockey rink; and

Whereas the nonprofit organization, Hockey in Newark, has joined with the New Jersey Devils and the National Hockey League to collect and distribute donated hockey equipment and uniforms valued at $85,000 to low-income children in Newark, New Jersey: Now, therefore, be it

Resolved, That the Senate—

(1) commends the dedication of the players and coaches of the hockey team of East Side High School in Newark, New Jersey;

(2) wishes the East Side High School hockey team many successful seasons ahead; and

(3) commends the New Jersey Devils for engaging the local community and providing low-income, at-risk children the opportunity to play hockey.

SENATE CONCURRENT RESOLUTION 33—EXPRESSING THE SENSE OF CONGRESS THAT A COMMEMORATIVE POSTAGE STAMP SHOULD BE ISSUED TO HONOR THE CREW OF THE USS MASON DE–529 WHO FOUGHT AND SERVED DURING WORLD WAR II.

Mr. BURRIS submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 33

Whereas the USS Mason DE-529 was the only United States Navy destroyer with a predominantly black enlisted crew during World War II;

Whereas the integration of the crew of the USS Mason DE-529 was the role model for racial integration on Navy vessels and served as a beacon for desegregation in the Navy;

Whereas the integration of the crew signified the first time that black citizens of the United States were trained to serve in ranks other than cooks and stewards;

Whereas the USS Mason DE-529 served as a convoy escort in the Atlantic and Mediterranean Theatres during World War II;

Whereas, in September 1944, the crew of the USS Mason DE-529 helped save Convoy NY119, ushering the convoy to safety despite a deadly storm in the Atlantic Ocean;

Whereas, in 1998, the Secretary of the Navy John H. Dalton made an official decision to name an Arleigh Burke Class Destroyer the USS Mason DDG-87 in order to honor the USS Mason DE-529;

Whereas, in 1994, President Clinton awarded the USS Mason DE-529 a long-overdue commendation, presenting the award to 67 of the surviving crewmembers; and

Whereas commemorative postage stamps have been issued to honor important vessels, aircrafts, and battles in the history of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the United States Postal Service should issue a postage stamp honoring the crew of the USS Mason DE-529 who fought and served during World War II; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1647. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1648. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1649. Ms. COLLINS (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1650. Mr. LIEBERMAN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1651. Mr. FEINGOLD (for himself, Ms. MURKOWSKI, Mrs. LINCOLN, and Mr. BURRIS) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1652. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1653. Mr. CORNYN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1654. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1655. Mr. CORNYN (for himself, Mr. INHOFE, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1656. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1657. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1658. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1659. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1660. Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WEBB, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1661. Mr. KERRY (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1662. Mr. DURBIN (for himself and Mr. NELSON, of Nebraska) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1663. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1664. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1665. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1666. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1667. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1668. Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1669. Mrs. BOXER (for herself, Mr. BOND, Ms. LANDRIEU, Ms. MURKOWSKI, Mrs. LINCOLN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. BURRIS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1670. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1671. Mr. KYL (for himself, Mr. DEMINT, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1672. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1673. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1674. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1675. Mr. FEINGOLD (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1676. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1677. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1678. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1679. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1680. Mr. VOINOVICH (for himself, Mr. LEAHY, Mr. BOND, Mr. BEGICH, Mr. BENNETT, Mr. BYRD, Mr. CASEY, Mr. COCHRAN, Mr. CRAPO, Mr. DORGAN, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROCKEFELLER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1681. Mrs. LINCOLN (for herself, Ms. LANDRIEU, Mr. TESTER, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1682. Mr. CONRAD (for himself, Mr. ENZI, Mr. HATCH, Mr. TESTER, Mr. BENNETT, Mr. BAUCUS, Mr. BARRASSO, and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1683. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1684. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1685. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1686. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1687. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1688. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1689. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1647. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, between lines 14 and 15, insert the following:

SEC. 706. SENSE OF THE SENATE ON HEALTH CARE BENEFITS AND COSTS FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) Career members of the Armed Forces and their families endure unique and extraordinary demands, and make extraordinary sacrifices, over the course of 20-year to 30-year careers in protecting freedom for all Americans.

(2) The nature and extent of these demands and sacrifices are never so evident as in wartime, not only during the current combat operations, but also during the wars of the last 60 years when current retired members of the Armed Forces were on continuous call to go in harm's way when and as needed.

(3) A primary benefit of enduring the extraordinary sacrifices inherent in a military career is a range of retirement benefits, including lifetime health benefits, that a grateful Nation provides for those who choose to subordinate their personal life to the national interest for so many years.

(4) Currently serving and retired members of the uniformed services and their families and survivors deserve benefits equal to their commitment and service to our Nation.

(5) Many employers are curtailing health benefits and shifting costs to their employees, which may result in retired members of the Armed Forces returning to the Department of Defense, and its TRICARE program, for health care benefits during retirement, and contribute to health care cost growth.

(6) Defense health costs also expand as a result of service-unique military readiness requirements, wartime requirements, and other necessary requirements that represent the ''cost of business'' for the Department of Defense.

(7) While the Department of Defense has made some efforts to contain increases in the cost of the TRICARE program, too many of those efforts have been devoted to shifting a larger share of the costs of benefits under that program to retired members of the Armed Forces who have earned health care benefits in return for a career of military service.

(8) In some cases health care providers refuse to accept TRICARE patients because that program pays less than other public and private payors and imposes unique administrative requirements.

(9) The Department of Defense records deposits to the Department of Defense Military Retiree Health Care Fund as discretionary costs to the Department in spite of legislation enacted in 2006 that requires such deposits to be made directly from the Treasury of the United States.

(10) As a result, annual payments for the future costs of servicemember health care continue to compete with other readiness needs of the Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Department of Defense and the Nation have an obligation to provide health care benefits to retired members of the Armed Forces that equals the quality of their selfless service to our country;

(2) past proposals by the Department of Defense to impose substantial fee increases

on military beneficiaries have failed to acknowledge properly the findings addressed in subsection (a); and

(3) the Department of Defense has many additional options to constrain the growth of health care spending in ways that do not disadvantage retired members of the Armed Forces who participate or seek to participate in the TRICARE program, and should pursue any and all such options rather than seeking large increases for enrollment fees, deductibles, and copayments for such retirees, and their families or survivors, who do participate in that program.

SA 1648. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PORT CHICAGO NAVAL MAGAZINE NATIONAL MEMORIAL.

(a) IN GENERAL.—Section 203 of the Port Chicago National Memorial Act of 1992 (16 U.S.C. 431 note; Public Law 102–562; 106 Stat. 4235) is amended—

(1) by redesignating subsection (c) as subsection (f);

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

''(c) ADMINISTRATION.—

''(1) IN GENERAL.—The Secretary of the Interior shall administer the Port Chicago Naval Magazine National Memorial as a unit of the National Park System in accordance with—

''(A) this Act; and

''(B) the laws generally applicable to units of the National Park System, including—

''(i) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

''(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

''(2) ADMINISTERED LAND.—The land described in subsection (d)(2) shall be administered in accordance with this subsection.

''(d) TRANSFER OF LAND.—

''(1) IN GENERAL.—The Secretary of Defense shall enter into a memorandum of understanding with the Secretary of the Interior providing for the transfer, without reimbursement, of administrative jurisdiction to the Secretary of the Interior of the land described in paragraph (2), if the Secretary of Defense determines that the land is in excess of military needs.

''(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) is the parcel of approximately 5 acres of land, as depicted on the map entitled 'Port Chicago Naval Magazine National Memorial, Proposed Boundary', numbered 018/80,001, and dated August 2005.

''(e) AGREEMENT WITH CITY OF CONCORD AND EAST BAY REGIONAL PARK DISTRICT.—The Secretary of the Interior may enter into an agreement with the City of Concord, California, and the East Bay Regional Park District to establish and operate a facility for visitor orientation and parking, administrative offices, and curatorial storage for the Port Chicago Naval Magazine National Memorial.''; and

(3) in subsection (f), (as redesignated by paragraph (1)), by striking ''Secretary of the Navy to provide public access to the Memorial'' and inserting ''Secretary of Defense to provide the maximum practicable public access to the Memorial without interfering with military needs''.

(b) SENSE OF CONGRESS ON REMEDIATION AND REPAIR OF PORT CHICAGO NAVAL MAGAZINE NATIONAL MEMORIAL.—

(1) REMEDIATION.—It is the sense of Congress that, to facilitate the transfer of administrative jurisdiction described in subsection (d) of section 203 of the Port Chicago National Memorial Act of 1992 (16 U.S.C. 431 note; Public Law 102–562; 106 Stat. 4235)(as added by subsection (a)), the Secretary of Defense should promptly remediate any remaining environmental contamination relating to the land.

(2) REPAIR.—It is the sense of Congress that, in order to preserve the Port Chicago Naval Magazine National Memorial for future generations, the Secretary of Defense and the Secretary of the Interior should work together to—

(A) repair storm damage to the Port Chicago Naval Magazine National Memorial; and

(B) develop a process by which future repairs and necessary modifications to the Memorial can be achieved in as timely and cost-effective a manner as possible.

(c) EFFECT.—Nothing in this section or the amendments made by this section affects or limits the application of, or obligation to comply with, any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

SA 1649. Ms. COLLINS (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 832 and insert the following:

SEC. 832. SMALL ARMS PRODUCTION INDUSTRIAL BASE.

Section 2473 of title 10, United States Code, is amended—

(1) by striking subsection (c) and inserting the following new subsection (c):

''(c) SMALL ARMS PRODUCTION INDUSTRIAL BASE.—In this section, the term 'small arms production industrial base' means the persons and organizations that are engaged in the production or maintenance of small arms within the United States.''; and

(2) in subsection (d), by adding at the end the following new paragraph:

''(6) Pistols.''.

SA 1650. Mr. LIEBERMAN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 394, between lines 8 and 9, insert the following:

SEC. 1032. TRIAL BY MILITARY COMMISSION OF ALIEN UNPRIVILEGED BELLIGERENTS FOR VIOLATIONS OF THE LAW OF WAR.

(a) IN GENERAL.—Subchapter I of chapter 47A of title 10, United States Code, as amended by section 1031(a), is further amended by adding at the end the following new section:

''§ 948e. Trial by military commission of alien unprivileged belligerents for violations of the law of war

''(a) SENSE OF CONGRESS.—It is the sense of Congress that the preferred forum for the trial of alien unprivileged enemy belligerents subject to this chapter for violations of the law of war and other offenses made punishable by this chapter is trial by military commission under this chapter.

''(b) REPORTING REQUIREMENT.—For any alien unprivileged enemy belligerent subject to this chapter whom the United States Government decides to try in Federal district court rather than by military commission under this chapter, the Secretary of Defense and the Attorney General shall report to Congress, not later than 30 days after such decision is made, on—

''(1) the criteria used to decide to try such individual in Federal district court rather than by military commission;

''(2) an estimate of the total costs to the United States Government, including costs borne by the judicial branch, attributable to trying such individual in Federal district court; and

''(3) any other information that the Secretary of Defense and the Attorney General consider appropriate.''.

(b) CLERICAL AMENDMENT.—The table of sections of the beginning of such subchapter, as amended by section 1031(a), is further amended by adding after the item relating to section 948d the following new item:

''948e. Trial by military commission of alien unprivileged belligerents for violations of the law of war.''.

SA 1651. Mr. FEINGOLD (for himself, Ms. MURKOWSKI, Mrs. LINCOLN, and Mr. BURRIS) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. CONTINUATION ON ACTIVE DUTY OF RESERVE COMPONENT MEMBERS DURING PHYSICAL EVALUATION BOARD PROCESS.

Section 1218 of title 10, United States Code, is amended by adding at the end the following new subsections:

''(d)(1) The Secretary of a military department shall give a member of a reserve component under the jurisdiction of the Secretary who is being evaluated by a physical evaluation board for separation or retirement for disability, incurred in the performance of military duties under this chapter or for placement on the temporary disability retired list or inactive status list under this chapter the option to remain on active duty during the physical evaluation board process until such time as the member—

''(A) is cleared by the board for continuation of active duty; or

''(B) is separated, retired, or placed on the temporary disability retired list or inactive status list.

''(2) A member may change the election under paragraph (1) at any point during the physical evaluation board process and be released from active duty.

''(3) The requirements in paragraph (1) shall expire on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010.

''(e) A member contemplating the exercise of an option under subsection (d) may exercise such option only after being afforded an opportunity to consult with a member of the applicable judge advocate general's corps.''.

SEC. 653. ENCOURAGEMENT OF USE OF LOCAL RESIDENCES FOR CERTAIN RESERVE COMPONENT MEMBERS.

Section 1222 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) ASSIGNMENT TO COMMUNITY BASED WARRIOR TRANSITION UNITS FOR CERTAIN RESERVE COMPONENT MEMBERS.—(1)(A) A member of a reserve component described by subparagraph (B) may be assigned to the community based warrior transition unit located nearest to the member's permanent place of residence if residing at that location is—

''(i) medically feasible, as determined by a licensed military health care provider; and

''(ii) consistent with the needs of the armed forces.

''(B) A member of a reserve component described by this subparagraph is any member remaining on active duty under section 1218(d) of this title during the period the member is on active duty under such subsection.

''(2) Nothing in this subsection shall be construed as terminating, altering, or otherwise affecting the authority of the commander of a member described in paragraph (1)(B) to order the member to perform duties consistent with the member's fitness for duty.

''(3) The Secretary concerned shall pay any reasonable expenses of transportation, lodging, and meals incurred by a member residing at the member's permanent place of residence under this subsection in connection with travel from the member's permanent place of residence to a medical facility during the period in which the member is covered by this subsection.''.

SEC. 654. ASSISTANCE WITH TRANSITIONAL BENEFITS.

(a) IN GENERAL.—Chapter 61 of title 10, United States Code, is amended by inserting after section 1218 the following new section:

''§ 1218a. Discharge or release from active duty: transition assistance

''The Secretary of a military department shall provide to a member of a reserve component under the jurisdiction of the Secretary who is injured while on active duty in the armed forces the following before such member is demobilized or separated from the armed forces:

''(1) Information on the availability of care and administrative processing through community based warrior transition units.

''(2) The location of the community based warrior transition unit located nearest to the member's permanent place of residence.

''(3) An opportunity to consult with a member of the applicable judge advocate general's corps regarding the member's eligibility for compensation, disability, or other transitional benefits.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 61 of such title is amended by inserting after the item relating to section 1218 the following new item:

''1218a. Discharge or release from active duty: transition assistance.''.

SA 1652. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 429, between lines 8 and 9, insert the following:

SEC. 1073. REPORT ON INTERNATIONAL MILITARY EDUCATION AND TRAINING PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) Building foreign partner capacity is a fundamental cornerstone of the security strategy of the United States.

(2) Significant progress has been made in this area over the past several years, but the United States Government must continue to increase its efforts, including improving reliability of funding and late notifications of school availability for the International Military Education and Training (IMET) program.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the effectiveness and efficiency of the IMET program.

(2) CONTENT.—The report required under paragraph (1) shall include the following information broken out by year over the past 10 years:

(A) Number of courses in the IMET program available, accomplished, and cancelled and an explanation therefor.

(B) Number of students authorized and actual attendance for each course and an explanation for the difference.

(C) The total budget and actual budget executed for each course in the IMET program and an explanation for the difference.

(D) The process for selecting students for the IMET program, including a timeline.

(E) The process for distributing funding for each school, including a timeline.

(F) Lessons learned to ensure student attendance and course execution is maximized.

SA 1653. Mr. CORNYN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1222. REPORT ON TAIWAN'S AIR FORCE.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Department of Defense's (DoD) 2009 Annual Report on Military Power of the People's Republic of China, the military balance in the Taiwan Strait has been shifting in China's favor since 2000, marked by the sustained deployment of advanced military equipment to the Chinese military regions opposite Taiwan.

(2) Although the DoD's 2002 Report concluded that Taiwan ''has enjoyed dominance of the airspace over the Taiwan Strait for many years,'' the DoD's 2009 Report states this conclusion no longer holds true.

(3) China has based 490 combat aircraft (330 fighters and 160 bombers) within unrefueled operational range of Taiwan, and has the airfield capacity to expand that number by hundreds. In contrast, Taiwan has 390 combat aircraft (all of which are fighters).

(4) Also according to the DoD's 2009 Report, China has continued its build-up of conventional ballistic missiles since 2000, ''building a nascent capacity for conventional short-range ballistic missile (SRBM) strikes against Taiwan into what has become one of China's primary instruments of coercion.'' At this time, China has expanded its SRBM force opposite Taiwan to seven brigades with a total of 1,050 through 1,150 missiles, and is augmenting these forces with conventional medium-range ballistic missiles systems and at least 2 land attack cruise missile variants capable of ground or air launch. Advanced fighters and bombers, combined with enhanced training for nighttime and overwater flights, provide China's People's Liberation Army (PLA) with additional capabilities for regional strike or maritime interdiction operations.

(5) Furthermore, the Report maintains, ''the security situation in the Taiwan Strait is largely a function of dynamic interactions among Mainland China, Taiwan, and the United States. The PLA has developed and deployed military capability to coerce Taiwan or attempt an invasion if necessary. PLA improvements pose new challenges to Taiwan's security, which has historically been based upon the PLA's inability to project power across the 100 nautical-mile Taiwan Strait, natural geographic advantages of island defense, Taiwan's armed forces' technological superiority, and the possibility of U.S. intervention''.

(6) The Taiwan Relations Act of 1979 requires that, in furtherance of the principle of maintaining peace and stability in the Western Pacific region, the United States shall 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,'' allowing that ''the President and the Congress shall determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan . . .''.

(b) REPORT TO CONGRESS ON TAIWAN'S CURRENT AIR FORCE AND FUTURE SELF-DEFENSE REQUIREMENTS.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report, in both classified and unclassified form, containing the following:

(1) A thorough and complete assessment of the current state of Taiwan's Air Force, including—

(A) the number and type of aircraft;

(B) the age of aircraft; and

(C) the capability of those aircraft.

(2) An assessment of the effectiveness of the aircraft in the face of a full-scale concerted missile and air campaign by China, in which China uses its most modern surface-to-air missiles currently deployed along its seacoast.

(3) An analysis of the specific weapons systems and platforms that Taiwan would need to provide for it's self-defense and maintain control of its own air space.

(4) Options for the United States to assist Taiwan in achieving those capabilities.

(5) A 5-year plan for fulfilling the obligations of the United States under the Taiwan Relations Act to provide for Taiwan's self-defense and aid Taiwan in maintaining control of its own air space.

SA 1654. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. POSTHUMOUS BENEFITS FOR SURVIVING SPOUSE.

(a) SHORT TITLE.—This section may be cited as the ''Military Widow and Surviving Spouse Protection Act''.

(b) AMENDMENT.—Section 1703(a)(1) of title XVII of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) is amended by inserting ''or the citizen died while serving honorably in an active duty status in the military, air, or naval forces of the United States and such death occurred through no fault of the citizen,'' after ''aggravated by combat,''.

SA 1655. Mr. CORNYN (for himself, Mr. INHOFE, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1232. SENSE OF THE SENATE REGARDING COMMITMENT TO GLOBAL WAR ON TERROR.

(a) FINDINGS.—The Senate makes the following findings:

(1) The surge strategy executed in Iraq by General David H. Petraeus and General Raymond T. Odierno in 2007 and 2008 was highly successful in reducing levels of violence and enabling the Iraqi government and security forces to gain credibility and capability.

(2) President Obama articulated his general strategy for Iraq during a speech at Camp Lejeune, North Carolina, on February 27, 2009, stating that a central goal is to ensure that Iraq ''is sovereign, stable, and self-reliant''. During the speech, the President outlined the President's objective to ''transition to full Iraqi responsibility'' through the ''responsible removal of our combat brigades from Iraq''.

(3) As part of the President's Iraq strategy, the President also indicated the President's commitment to ensuring that ''we preserve the gains we've made and protect our troops''. Consequently, the United States and our allies have a continued interest in maintaining these hard-fought security gains, especially during the upcoming Iraqi provincial elections, while simultaneously protecting the United States military and civilian members still in Iraq.

(4) A key component of the President's plan for Iraq is to retain a transitional force there to carry out several distinct functions, including training, equipping, and advising the Iraqi Security Forces, conducting targeted counterterrorism missions, and protecting our civilian and military forces within Iraq. In accordance with this policy, United States forces have largely withdrawn from Iraqi cities, but the President expects that the transitional force, to number between 35,000 and 50,000 United States military servicemembers, will remain in Iraq for the foreseeable future.

(5) President Obama articulated his emerging plan for Afghanistan in a speech on March 27, 2009, stating that the United States goal there is to ''disrupt, dismantle, and defeat al Qaeda in Pakistan and Afghanistan, and to prevent their return to either country in the future''. To this end, the current surge strategy in Afghanistan, spearheaded by General Petraeus and General Stanley A. McChrystal, the new commander of the NATO International Security Assistance Force, is critical to providing security for the Afghan populace, bolstering the Afghan security forces, and waging a successful campaign against Islamic extremists of al Qaeda, the Taliban, and affiliated groups.

(6) President Obama's laudable goals of disrupting terrorist networks in Afghanistan and Pakistan and developing increasingly self-reliant Afghan security forces necessitated the surge of 17,000 additional United States troops to increase the overall size of the NATO-led International Security Assistance Force. These more robust forces, focusing in the south and east portions of the country, will have an enhanced ability to protect the Afghan population against a resurgence of al Qaeda, the Taliban, and their allies, as well as to provide greater ability for the Afghan government to establish effective government control.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the global war on terror represents a critical effort to protect the American people and ensure that future generations may continue to enjoy the precious freedoms we have today;

(2) the United States must remain committed to succeeding in the global war on terror and fighting the forces of Islamic extremism in Iraq and Afghanistan, including al Qaeda, the Taliban, and other groups, that are intent on the murder of innocent Americans, the destruction of the American way of life, and the global proliferation of radical and violent ideology;

(3) our military servicemembers and civilian United States personnel serving in harm's way in Iraq, Afghanistan, and other fronts in the global war on terror must be given any and all resources they need to accomplish the missions that have been asked of them, including the deployment of additional forces, should United States commanders on the ground deem that necessary;

(4) in Iraq, the hard-earned security gains won by our servicemembers must be preserved, and the long-term United States strategy there must continue to reflect that essential goal;

(5) the President's plan for Iraq is fundamentally sound and represents a responsible and carefully considered strategy that will help Iraq maintain sovereignty, stability, and self-reliance, achievements that were made possible largely through the extraordinary efforts and tremendous sacrifices of United States servicemembers and civilian personnel in Iraq;

(6) the President's plan for Afghanistan is clearly intended to improve the overall security situation there and enable the eventual drawdown and withdrawal of United States forces, and the President's near-term strategy to surge forces and provide improved security to the Afghan people by locating United States military personnel among the population, in conjunction with the growing Afghan National Army and Afghan National Police, which the United States supports and trains, will increase the security of the Afghan population; and

(7) although gains in the global war on terror will not come without a cost, the American people and the Iraqi and Afghan people share a common enemy and a common goal to do whatever is necessary to defeat terrorists and those who support them, no matter the cost or duration.

SA 1656. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. REPORT ON RECRUITMENT AND RETENTION OF MEMBERS OF THE AIR FORCE IN NUCLEAR CAREER FIELDS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the efforts of the Air Force to attract and retain qualified individuals for service as members of the Air Force involved in the operation, maintenance, handling, and security of nuclear weapons.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of current reenlistment rates, set forth by Air Force Specialty Code, of members of the Air Force serving in positions involving the operation, maintenance, handling, and security of nuclear weapons.

(2) A description of the current personnel fill rate for Air Force units involved in the operation, maintenance, handling, and security of nuclear weapons.

(3) An description of the steps the Air Force has taken, including the use of retention bonuses or assignment incentive pay, to improve recruiting and retention of officers and enlisted personnel by the Air Force for the positions described in paragraph (1).

(4) An assessment of the feasibility, advisability, utility, and cost effectiveness of establishing additional bonuses or incentive pay as a way to enhance the recruitment and retention by the Air Force of skilled personnel in the positions described in paragraph (1).

(5) An assessment of whether assignment incentive pay should be provided for members of the Air Force covered by the Personnel Reliability Program.

(6) An assessment of the long-term community management plan for recruitment and retention by the Air Force of skilled personnel in the positions described in paragraph (1).

(7) Such other matters as the Secretary considers appropriate.

SA 1657. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NO MIRANDA WARNINGS FOR AL QAEDA TERRORISTS.

(a) DEFINITIONS.—In this section—

(1) the term ''foreign national'' means an individual who is not a citizen or national of the United States; and

(2) the term ''prisoner of war''—

(A) has the same meaning that term has under the law of war; and

(B) includes a privileged belligerent and an unprivileged enemy belligerent, as those terms are defined in section 948a of title 10, United States Code, as amended by section 1031 of this Act.

(b) NO MIRANDA WARNINGS.—Absent an unappealable court order requiring the reading of such statements, no agency or department of the United States shall read to a foreign national who is captured or detained as a prisoner of war by the United States the statement required by Miranda v. Arizona, 384 U.S. 436 (1966), or otherwise inform such a prisoner of any rights that the prisoner may or may not have under the Constitution of the United States or under any Federal statute, regulation, or treaty. No Federal statute, regulation, or treaty shall be construed to require that a foreign national who is captured or detained as a prisoner of war by the United States be informed of any rights that the prisoner may or may not have. No statement that is made by a foreign national who is captured or detained as a prisoner of war by the United States may be excluded from any proceeding on the basis that the prisoner was not informed of a right that the prisoner may or may not have.

SA 1658. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 557. COMPTROLLER GENERAL REPORT ON CHILD CARE ASSISTANCE FOR DEPLOYED MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representative a report on financial assistance for child care provided by the Department of Defense, including through the Operation: Military Child Care and Military Child Care in Your Neighborhood programs, to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of the following:

(1) The types of financial assistance for child care made available by the Department of Defense to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

(2) The extent to which such members have taken advantage of such assistance since such assistance was first made available.

(3) The formulas used for calculating the amount of such assistance provided to such members.

(4) The funding allocated to such assistance.

(5) The remaining costs of child care to families of such members that are not covered by the Department of Defense.

(6) Any barriers to access to such assistance faced by such members and the families of such members.

(7) The different criteria used by different States with respect to the regulation of child care services and the potential impact differences in such criteria may have on the access of such members to such assistance.

(8) The different standards and criteria used by different programs of the Department of Defense for providing such assistance with respect to child care providers and the potential impact differences in such standards and criteria may have on the access of such members to such assistance.

(9) Any other matters the Comptroller General determines relevant to the improvement of financial assistance for child care made available by the Department of Defense to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

SA 1659. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 557. INCREASE IN FINANCIAL ASSISTANCE FOR CHILD CARE FOR CHILDREN OF DEPLOYED MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to increase financial assistance provided under Operation: Military Child Care to cover not less than 75 percent of the costs of child care provided pursuant to Operation: Military Child Care.

(b) OPERATION: MILITARY CHILD CARE DEFINED.—In this section, the term ''Operation: Military Child Care'' refers to the program of the Department of Defense to provide financial assistance for child care to members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation.

SA 1660. Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WEBB, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. CONSENT OF CONGRESS TO COMPACT AMENDMENTS.

(a) CONSENT.—Consent of Congress is given to the amendments of the State of Maryland, the amendments of the Commonwealth of Virginia, and the amendments of the District of Columbia to sections 5, 9 and 18 of title III of the Washington Metropolitan Area Transit Regulation Compact.

(b) AMENDMENTS.—The amendments referred to in subsection (a) are substantially as follows:

(1) Section 5 is amended to read as follows:

''(a) The Authority shall be governed by a Board of eight Directors consisting of two Directors for each Signatory and two for the federal government (one of whom shall be a regular passenger and customer of the bus or rail service of the Authority). For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Council of the District of Columbia; for Maryland, by the Washington Suburban Transit Commission; and for the Federal Government, by the Administrator of General Services. For Virginia and Maryland, the Directors shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with their term on the appointing body. A Director for a Signatory may be removed or suspended from office only as provided by the law of the Signatory from which he was appointed. The nonfederal appointing authorities shall also appoint an alternate for each Director. In addition, the Administrator of General Services shall also appoint two nonvoting members who shall serve as the alternates for the federal Directors. An alternate Director may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate, including the federal nonvoting Directors, shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

''(b) Before entering upon the duties of his office each Director and alternate Director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the constitution or laws of the Government he represents shall provide: 'I, , hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.' ''.

(2) Subsection (a) of section 9 is amended to read as follows:

''(a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller, an inspector general, and a general counsel and such other officers as the Board may provide. Except for the office of general manager, inspector general, and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.''.

(3) Section 9 is further amended by inserting new subsection (d) to read as follows (and by renumbering all subsequent paragraphs of section 9):

''(d) The inspector general shall report to the Board and head the Office of the Inspector General, an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.''.

(4) Section 18 is amended by adding a new section 18(d) to read as follows:

''(d)(1) All payments made by the local Signatory governments for the Authority for the purpose of matching federal funds appropriated in any given year as authorized under title VI, section 601, Public Law 110–432 regarding funding of capital and preventative maintenance projects of 1 the Authority shall be made from amounts derived from dedicated funding sources.

''(2) For the purposes of this paragraph (d), a 'dedicated funding source' means any source of funding that is earmarked or required under State or local law to be used to match Federal appropriations authorized under title VI, section 601, Public Law 110–432 for payments to the Authority.''.

(c) RIGHT TO ALTER, AMEND, OR REPEAL.—The right to alter, amend, or repeal this section is expressly reserved. The consent granted by this section shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the compact.

(d) CONSTRUCTION AND SEVERABILITY.—It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this compact, or legislation enabling the compact, is held invalid, the remainder of the compact or its application to other situations or persons shall not be affected.

(e) INCONSISTENCY OF LANGUAGE.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, Commonwealth of Virginia and District of Columbia.

(f) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

SA 1661. Mr. KERRY (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. INCLUSION OF SERVICE AFTER SEPTEMBER 11, 2001, IN DETERMINATION OF REDUCED ELIGIBILITY AGE FOR RECEIPT OF NON-REGULAR SERVICE RETIRED PAY.

Section 12731(f)(2)(A) of title 10, United States Code, is amended—

(1) by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008'' and inserting ''September 11, 2001''; and

(2) by striking ''in any fiscal year after such date'' and inserting ''in any fiscal year after fiscal year 2001''.

SA 1662. Mr. DURBIN (for himself and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 617 and insert the following:

SEC. 617. SPECIAL COMPENSATION FOR MEMBERS OF THE UNIFORMED SERVICES WITH SERIOUS INJURIES OR ILLNESSES REQUIRING ASSISTANCE IN EVERYDAY LIVING.

(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 439. Special compensation: members of the uniformed services with serious injuries or illnesses requiring assistance in everyday living

''(a) MONTHLY COMPENSATION.—The Secretary concerned may pay to any member of the uniformed services described in subsection (b) monthly special compensation in an amount determined under subsection (c).

''(b) COVERED MEMBERS.—A member eligible for monthly special compensation authorized by subsection (a) is a member who—

''(1) has been certified by a licensed physician to be in need of assistance from another person to perform the personal functions required in everyday living;

''(2) has a serious injury, disorder, or disease of either a temporary or permanent nature that—

''(A) is incurred or aggravated in the line of duty; and

''(B) compromises the member's ability to carry out one or more activities of daily living or requires the member to be constantly supervised to avoid physical harm to the member or to others; and

''(3) meets such other criteria, if any, as the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) prescribes for purposes of this section.

''(c) AMOUNT.—(1) The amount of monthly special compensation payable to a member under subsection (a) shall be determined under criteria prescribed by the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard), but may not exceed the amount of aid and attendance allowance authorized by section 1114(r)(2) of title 38 for veterans in need of aid and attendance.

''(2) In determining the amount of monthly special compensation, the Secretary concerned shall consider the following:

''(A) The extent to which home health care and related services are being provided by the Government.

''(B) The extent to which aid and attendance services are being provided by family and friends who may be compensated with funds provided through the monthly special compensation.

''(d) PAYMENT UNTIL MEDICAL RETIREMENT.—Monthly special compensation is payable under this section to a member described in subsection (b) for any month that begins before the date on which the member is medically retired.

''(e) CONSTRUCTION WITH OTHER PAY AND ALLOWANCES.—Monthly special compensation payable to a member under this section is in addition to any other pay and allowances payable to the member by law.

''(f) BENEFIT INFORMATION.—The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, shall ensure that members of the uniformed services who may be eligible for compensation under this section are made aware of the availability of such compensation by including information about such compensation in written and online materials for such members and their families.

''(g) REGULATIONS.—The Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) shall prescribe regulations to carry out this section.''.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense (and the Secretary of Homeland Security, with respect to the Coast Guard) shall submit to Congress a report on the provision of compensation under section 439 of title 37, United States Code, as added by subsection (a) of this section.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An estimate of the number of members of the uniformed services eligible for compensation under such section 439.

(B) The number of members of the uniformed services receiving compensation under such section.

(C) The average amount of compensation provided to members of the uniformed services receiving such compensation.

(D) The average amount of time required for a member of the uniformed services to receive such compensation after the member becomes eligible for the compensation.

(E) A summary of the types of injuries, disorders, and diseases of members of the uniformed services receiving such compensation that made such members eligible for such compensation.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following new item:

''439. Special compensation: members of the uniformed services with serious injuries or illnesses requiring assistance in everyday living.''.

SA 1663. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VI, add the following:

SEC. 619. MONTHLY SPECIAL PAY FOR MEMBERS RETAINED IN THE ARMED FORCES UNDER STOP-LOSS AUTHORITIES FOR PRE-DEPLOYMENT AND RE-INTEGRATION DUTY.

(a) MONTHLY SPECIAL PAY REQUIRED.—The Secretary concerned shall pay to each member of the Armed Forces described in subsection (b) monthly special pay in the amount specified in subsection (c) for each month or portion of a month of pre-deployment and re-integration duty performed by such member on or after September 11, 2001, while described by subsection (b), regardless of whether or not such duty was performed by such member on active duty in the Armed Forces.

(b) COVERED MEMBERS.—A member of the Armed Forces described in this subsection is any member of the Armed Forces whose enlistment or period of obligated service is extended, or whose eligibility for retirement is suspended, pursuant to section 123 or 12305 of title 10, United States Code, or any other provision of law authorizing the President to extend an enlistment or period of obligated service, or suspend an eligibility for retirement, of a member of the uniformed services in time of war or of national emergency declared by Congress or the President (commonly referred to as a ''stop-loss authority'').

(c) AMOUNT.—The amount of monthly special pay payable under subsection (a) for a month or portion of a month is $500.

(d) CONSTRUCTION WITH OTHER MONTHLY SPECIAL PAY.—Monthly special pay may not be paid under both this section and section 8116 of the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329; 122 Stat. 3646) for any month or portion of a month.

SA 1664. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 214, between lines 20 and 21, insert the following:

(3) ASSESSMENTS OF MEMBERS DISCHARGED OR RELEASED UPON RETURN FROM DEPLOYMENT.—In the case of a member of the Armed Forces who is discharged or released from the Armed Forces upon the member's return from deployment, the Secretary of Defense shall make available the opportunity for such member to participate in the mental health assessments required under subparagraph (C) of paragraph (1) together with the unit with which the member was previously deployed, without regard to the terms of such discharge or release.

SA 1665. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII, insert the following:

SEC. ___. FUNDING FOR MENTAL HEALTH CARE FOR MEMBERS OF THE NATIONAL GUARD.

(a) AVAILABILITY OF DEFENSE HEALTH PROGRAM FUNDS.—Subject to the provisions of appropriations Acts, amounts available for Defense Health Program shall be available for programs described in subsection (b) for members of the National Guard not on active duty in the Armed Forces who incurred a psychological or mental illness or injury on active duty in the Armed Forces as demonstrated by existing medical records or, in the absence of such records, by the opinion of a licensed medical provider in the State where the member resides.

(b) COVERED PROGRAMS.—The programs described in this subsection are programs as follows:

(1) Programs to assist members of the National Guard described in subsection (a) in case management in the receipt of non-clinical care for an illness or injury described in that subsection.

(2) Programs to advise members of the National Guard described in subsection (a) on the receipt of care and treatment for an illness or injury described in that subsection under the TRICARE program.

(3) Programs of psychological health treatment for members of the National Guard described in subsection (a) for an illness or injury described in that subsection.

(4) Programs supporting the efforts of the military departments to update and maintain military health electronic records systems.

(5) Such other treatment programs as may assist a member of the National Guard described in subsection (a) for an illness or injury described in that subsection, as determined by the State Surgeon General of the National Guard of the State in which the member reside, the Director of Psychological Health of the State in which the member resides, the mental health or equivalent agency of the State in which the member resides, or the Director of the Psychological Health Program of the National Guard Bureau.

(c) BUDGETING.—The Assistant Secretary of Defense for Health Affairs shall coordinate with the National Guard Bureau and other personnel and logistical elements of the National Guard in determining the budget requirements of the National Guard for the programs described in subsection (b).

SA 1666. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 218, after line 21, add the following:

(h) POST-DEPLOYMENT HEALTH ASSESSMENTS OF GUARD AND RESERVE MEMBERS.—

(1) IN GENERAL.—The Secretary concerned shall administer a Post-Deployment Health Assessment (PDHA) to each member of a reserve component of the armed forces returning to the member's home station or county of residence from deployment in connection with a contingency operation within the following timeframes:

(A) In the case of a member of the Individual Ready Reserve, the assessment shall be administered by not later than the member's release from active duty following such deployment or 10 days after the member's return to such station or county, whichever occurs earlier.

(B) In the case of any other member of a reserve component of the armed forces returning from deployment, by not later than the member's release from active duty following such deployment.

(2) PERFORMANCE BY TRAINED PRACTITIONERS.—

(A) IN GENERAL.—The Post-Deployment Health Assessment required under this subsection shall be performed by a practitioner trained and certified as qualified to participate in the performance of Post-Deployment Health Assessments or Post-Deployment Health Reassessments.

(B) REPORT ON AVAILABILITY OF TRAINED PERSONNEL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the availability of personnel described under subparagraph (A) to perform assessments pursuant to this subsection at the home stations or counties of residence of members of the reserve components of the Armed Forces. If such personnel are not available at such locations, the Secretary shall indicate the additional resources necessary to ensure such availability within one year after the date of the enactment of this Act.

SA 1667. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 214, line 12, insert ''18 months,'' after ''12 months,''.

SA 1668. Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 475, between lines 2 and 3, insert the following:

SEC. 1211. AUTHORITY TO TRANSFER DEFENSE ARTICLES AND EQUIPMENT TO ARMED FORCES OF LEBANON AND JORDAN.

Notwithstanding any other provision of law, the Secretary of Defense, in consultation with the congressional defense committees, may transfer defense articles and equipment used by the United States Armed Forces in Iraq as of the date of the enactment of this Act to the armed forces of the Governments of Lebanon and Jordan in a manner that is appropriate with the drawdown of forces in Iraq.

SA 1669. Mrs. BOXER (for herself, Mr. BOND, Ms. LANDRIEU, Ms. MURKOWSKI, Mrs. LINCOLN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. BURRIS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, insert the following:

SEC. 713. REDUCTION OF MINIMUM DISTANCE OF TRAVEL FOR REIMBURSEMENT OF COVERED BENEFICIARIES OF THE MILITARY HEALTH CARE SYSTEM FOR TRAVEL FOR SPECIALTY HEALTH CARE.

(a) REDUCTION.—Section 1074i(a) of title 10, United States Code, is amended by striking ''100 miles'' and inserting ''50 miles''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 90 days after the date of the

enactment of this Act, and shall apply with respect to referrals for specialty health care made on or after such effective date.

(c) OFFSET.—The amount authorized to be appropriated by section 301(a)(4) for operation and maintenance for the Air Force is hereby decreased by $25,000,000, with the amount of the decrease to be derived from amounts available for line item # 320 in the table in section 4301 for advertising.

SA 1670. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 435, between lines 14 and 15, insert the following:

SEC. 1083. PAYMENT BY SECRETARY OF VETERANS AFFAIRS OF PLOT ALLOWANCE FOR SPOUSES AND CHILDREN OF CERTAIN VETERANS WHO ARE BURIED IN STATE CEMETERIES.

(a) PLOT ALLOWANCE.—Section 2303 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) In the case of an individual described in paragraph (2) who is buried in a cemetery that is owned by a State or by an agency or political subdivision of a State, the Secretary shall pay to such State, agency, or political subdivision the sum of $300 as a plot or interment allowance for such individual.

''(2) An individual described in this paragraph is a spouse, surviving spouse (which for purposes of this chapter includes a surviving spouse who had a subsequent remarriage), minor child (which for purposes of this chapter includes a child under 21 years of age, or under 23 years of age if pursuing a course of instruction at an approved educational institution), or, in the discretion of the Secretary, unmarried adult child of any of person described in paragraph (1), (2), (3), (4), or (7) of section 2402 of this title.''.

(b) EFFECTIVE DATE.—Subsection (c) of section 2303 of title 38, United States Code, as added by subsection (a), shall apply with respect to an individual who dies on or after the date of the enactment of this Act.

SA 1671. Mr. KYL (for himself, Mr. DEMINT, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

SEC. 1232. SENSE OF THE SENATE ON NON-STRATEGIC NUCLEAR FORCES OF THE RUSSIAN FEDERATION.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Congressional Commission on the Strategic Posture of the United States, chaired by former Secretaries of Defense William Perry and James Schlesinger, recently concluded that there is significant asymmetry between the tactical nuclear weapons arsenals of the Russian Federation and the United States.

(2) The Commission also determined that ''[a]s part of its strategy to assure its allies, the United States should not abandon strategic equivalency with Russia. Overall equivalence is important to many U.S. allies in Europe. The United States should not cede to Russia a posture of superiority in the name of deemphasizing nuclear weapons in U.S. military strategy. There seems no near-term prospect of such a result in the balance of operationally deployed strategic nuclear weapons.''

(3) The Commission continued, ''But that balance does not exist in non-strategic nuclear forces, where Russia enjoys a sizeable numerical advantage. As noted above, it stores thousands of these weapons in apparent support of possible military operations west of the Urals. The United States deploys a small fraction of that number in support of nuclear sharing agreements in NATO. Precise numbers for the U.S. deployments are classified but their total is only about five percent of the total at the height of the Cold War. Strict U.S.-Russian equivalence in NSNF numbers is unnecessary. But the current imbalance is stark and worrisome to some U.S. allies in Central Europe. If and as reductions continue in the number of operationally deployed strategic nuclear weapons, this imbalance will become more apparent and allies less assured.''

(4) The Commission stated, ''Some U.S. allies located closer to Russia, however, are fearful of Russia and its tactical nuclear forces. The imbalance in non-strategic nuclear weapons, which greatly favors Russia, is of rising concern and an illustration of the new challenges of strategic stability as reductions in strategic weapons proceed.''

(5) The Commission also stated, ''The combination of new warhead designs, the estimated production capability for new nuclear warheads, and precision delivery systems such as the Iskander short-range tactical ballistic missile (known as the SS-26 in the West), open up new possibilities for Russian efforts to threaten to use nuclear weapons to influence regional conflicts.''

(b) SENSE OF THE SENATE.—The Senate strongly urges the President—

(1) to make it a priority in all United States arms control negotiations with Russia to gain a verifiable accounting of the tactical nuclear weapons of Russia, including the types, current deployments, and security from theft of the same;

(2) to ensure that reductions in the tactical nuclear weapons of Russia are a top priority in any arms control negotiation with the Russian Federation; and

(3) to assure United States allies that they are protected from any use or threatened use of tactical nuclear weapons from Russia.

SA 1672. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, between lines 12 and 13, insert the following:

(6) A description of current and past sales, or contracts for the sale, by the Russian Federation of technology, materials, components, or services related to nuclear weapons or nuclear energy, ballistic missile or space launch capabilities, or advanced conventional weapons systems.

SA 1673. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 424, between lines 7 and 8, insert the following:

SEC. 1059. CERTIFICATION REQUIREMENT REGARDING THE REFURBISHMENT, REUSE, OR REPLACEMENT OF THE UNITED STATES NUCLEAR WEAPONS STOCKPILE.

(a) IN GENERAL.—The Secretary of Defense may not carry out any program for the refurbishment, reuse, or replacement of the United States nuclear weapons stockpile unless the Director of the Sandia National Laboratory, the Director of the Los Alamos National Laboratory, the Director of the Lawrence Livermore National Laboratory, and JASON certify to the congressional defense committees that the program—

(1) may be carried out without the need for any testing;

(2) will preserve the core intellectual and technical competencies of the United States in nuclear weapons, including weapons design, system integration, manufacturing, security, use control, reliability assessment, and certification; and

(3) will provide for the long-term safety, security, reliability, and credibility of the United States nuclear deterrent and extended deterrent.

(b) DEFINITIONS.—In this section:

(1) The term ''refurbishment'' means a strategy of, or similar to, the lifetime extension program, whereby individual warhead components are replaced before they degrade with components of nearly identical design or that meet the same form, fit, and function.

(2) The term ''reuse'' means a strategy of using surplus pits or secondaries from other warhead types or, in certain cases, a strategy involving the new manufacture of these components.

(3) The term ''replacement'' means a strategy that permits replacing nuclear components with modern designs.

SA 1674. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, insert the following:

SEC. 1073. REPORT ON STATUS OF UNITED STATES NUCLEAR WEAPONS COMPLEX.

(a) FINDINGS.—Congress makes the following findings:

(1) The Commission on the Strategic Posture of the United States found that ''the physical infrastructure'' of the United States nuclear weapons complex ''is in serious need of transformation.''

(2) The Commission on the Strategic Posture of the United States also found that ''the intellectual infrastructure is also in serious trouble. A major cause is the recent (and projected) decline in resources.''

(3) The Commission on the Strategic Posture of the United States stated, ''Once core capabilities are established, the Congress should require that annual NNSA budget submissions include an assessment of whether the budget as proposed will maintain these capabilities. To monitor progress, the NNSA and the White House Office of Management and Budget (OMB) should establish a formal mechanism for tracking funding sources for the weapons laboratories, without additional administrative burden on the laboratories.''

(4) The Commission on the Strategic Posture of the United States recommended, ''The NNSA should conduct a study of the core competencies needed in the weapons complex, and the Congress and Office of Management and Budget should use these as a tool for determining how to fund the NNSA.''

(b) ANNUAL REPORT.—The Secretary of Defense shall, in consultation with the directors of the national nuclear weapons laboratories and nuclear weapons production facilities and as part of the budget justification materials submitted to Congress in support of the Department of Defense budget for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), submit a report on the condition and status of the nuclear weapons complex of the United States. The report shall include the following elements:

(1) An assessment of whether the budget is sufficient to preserve the core intellectual and technical competencies of the United States in nuclear weapons, including weapons design, system integration, manufacturing, security, use control, reliability assessment, and certification.

(2) A description of the demographics and experience of the nuclear weapons workforce, including the number of individuals who have ever participated in an underground nuclear test.

(3) A plan for enabling the design laboratories to grow the required expertise and sustain it over the long term.

(4) An assessment of the condition and status of the national nuclear weapons laboratories and nuclear weapons production facilities.

(5) A plan to provide for the long-term safety, security, reliability, and credibility of the United States nuclear deterrent and extended deterrent.

(6) An assessment of the condition and status of the nuclear weapons production complex and the ability of the complex to sustain and modernize the nuclear deterrent.

(c) DEFINITIONS.—In this Act:

(1) The term ''national nuclear weapons laboratories'' includes Sandia National Laboratory, Los Alamos National Laboratory, and Lawrence Livermore National Laboratory.

(2) The term ''nuclear weapons production facilities'' means the Y-12 complex at Oak Ridge National Laboratory, the Savannah River Site, the Pantex Plant, the Nevada Test Site, and the Kansas City Plant.

SA 1675. Mr. FEINGOLD (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 652. CONTINUATION ON ACTIVE DUTY OF RESERVE COMPONENT MEMBERS DURING PHYSICAL DISABILITY EVALUATION FOLLOWING MOBILIZATION AND DEPLOYMENT.

Section 1218 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of a military department shall ensure that each member of a reserve component under the jurisdiction of the Secretary who is determined, after a mobilization and deployment to an area in which imminent danger pay is authorized under section 310 of title 37, to require evaluation for a physical or mental disability which could result in separation or retirement for disability under this chapter or placement on the temporary disability retired list or inactive status list under this chapter is retained on active duty during the disability evaluation process until such time as such member is—

''(A) cleared by appropriate authorities for continuation on active duty; or

''(B) separated, retired, or placed on the temporary disability retired list or inactive status list.

''(2)(A) A member described in paragraph (1) may request termination of active duty under such paragraph at any time during the demobilization or disability evaluation process of such member.

''(B) Upon a request under subparagraph (A), a member described in paragraph (1) shall only be released from active duty after the member receives counseling about the consequences of termination of active duty.

''(C) Each release from active duty under subparagraph (B) shall be thoroughly documented.

''(3) The requirements in paragraph (1) shall expire on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010.''.

SEC. 653. USE OF LOCAL RESIDENCES FOR COMMUNITY-BASED CARE FOR CERTAIN RESERVE COMPONENT MEMBERS.

Section 1222 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) USE OF LOCAL RESIDENCES FOR CERTAIN RESERVE COMPONENT MEMBERS.—(1)(A) A member of a reserve component described by subparagraph (B) may be assigned to the community-based warrior transition unit located nearest to the member's permanent place of residence if residing at that location is—

''(i) medically feasible, as determined by a licensed military health care provider; and

''(ii) consistent with—

''(I) the needs of the armed forces; and

''(II) the optimal course of medical treatment of the member.

''(B) A member of a reserve component described by this subparagraph is any member remaining on active duty under section 1218(d) of this title during the period the member is on active duty under such subsection.

''(2) Nothing in this subsection shall be construed as terminating, altering, or otherwise affecting the authority of the commander of a member described in paragraph (1)(B) to order the member to perform duties consistent with the member's fitness for duty.

''(3) The Secretary concerned shall pay any reasonable expenses of transportation, lodging, and meals incurred by a member residing at the member's permanent place of residence under this subsection in connection with travel from the member's permanent place of residence to a medical facility during the period in which the member is covered by this subsection.''.

SEC. 654. ASSISTANCE WITH TRANSITIONAL BENEFITS.

(a) IN GENERAL.—Chapter 61 of title 10, United States Code, is amended by inserting after section 1218 the following new section:

''§ 1218a. Discharge or release from active duty: transition assistance

''The Secretary of a military department shall provide to a member of a reserve component under the jurisdiction of the Secretary who is injured while on active duty in the armed forces the following before such member is demobilized or separated from the armed forces:

''(1) Information on the availability of care and administrative processing through community based warrior transition units.

''(2) The location of the community based warrior transition unit located nearest to the member's permanent place of residence.

''(3) An opportunity to consult with a member of the applicable judge advocate general's corps, or other qualified legal assistance attorney, regarding the member's eligibility for compensation, disability, or other transitional benefits.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 61 of such title is amended by inserting after the item relating to section 1218 the following new item:

''1218a. Discharge or release from active duty: transition assistance.''.

SA 1676. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 19 and 20, insert the following:

(e) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall—

(1) review the assessment required by subsection (b) and the plan required by subsection (c); and

(2) not later than 120 days after receiving the assessment and the plan, provide to the congressional defense committees the results of the review.

SA 1677. Mr. BEGICH (for himself, Mr. SESSIONS, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 245. CONTINUED PRODUCTION OF GROUND-BASED INTERCEPTOR MISSILE AND OPERATION OF MISSILE FIELD 1 AT FORT GREELY, ALASKA.

(a) LIMITATION ON BREAK IN PRODUCTION.—The Secretary of Defense shall ensure that the Missile Defense Agency does not allow a break in production of the Ground-based Interceptor missile until the Department of Defense has—

(1) completed the Ballistic Missile Defense Review; and

(2) made a determination with respect to the number of Ground-based Interceptor missiles that will be necessary to support the service life of the Ground-based Midcourse Defense element of the Ballistic Missile Defense System.

(b) LIMITATION ON DECOMMISSIONING OF MISSILE FIELD 1.—The Secretary of Defense shall ensure that Missile Field 1 at Fort Greely, Alaska, does not complete decommissioning until seven silos have been emplaced at Missile Field 2 at Fort Greely.

(2) LIMITATION WITH RESPECT TO DISPOSITION OF SILOS AT MISSILE FIELD 2.—The Secretary of Defense shall ensure that no irreversible decision is made with respect to the disposition of operational silos at Missile Field 2 at Fort Greely, Alaska, until that date that is 60 days after the date on which the reports required by subsections (b)(3) and (c)(3) of section 243 are submitted to the congressional defense committees.

SA 1678. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 321, strike line 18 and all that follows through page 394, line 8 and insert the following:

SEC. 1031. REPEAL OF MILITARY COMMISSIONS.

(a) REPEAL.—

(1) IN GENERAL.—Chapter 47A of title 10, United States Code, is repealed.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for title 10, United States Code, is amended by striking the item relating to chapter 47A.

(b) TRANSITION PROCEDURES.—

(1) DEFINITION.—In this subsection, the term ''covered matter'' means a matter—

(A) brought before a military commission convened under chapter 47A of title 10, United States Code, as in effect on the day before the date of enactment of this Act; and

(B) in which final judgment has not been entered, or the matter has not otherwise become final, on the date of enactment of this Act.

(2) DISMISSAL.—Any covered matter shall be dismissed without prejudice.

(3) STATUTE OF LIMITATIONS.—For any offense charged in a covered matter dismissed under paragraph (2), the running of the statute of limitations for that offense shall be tolled during the period beginning on the date on which charges relating to the offense were filed with a military commission convened under chapter 47A of title 10, United States Code, as in effect on the day before the date of enactment of this Act, and ending on the date of enactment of this Act.

SA 1679. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 435, between line 14 and 15, insert the following:

SEC. 1083. INVESTIGATIONS, AUDITS, INSPECTIONS, EVALUATIONS, AND REVIEWS CONDUCTED BY INSPECTORS GENERAL.

Section 3518(c) of title 44, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) Notwithstanding paragraph (3), this subchapter shall not apply to the collection of information during the conduct of any investigation, audit, inspection, evaluation, or other review conducted by—

''(A) any Federal office of Inspector General, including—

''(i) any office of Inspector General of any establishment, Federal entity, or designated Federal entity as those terms are defined under sections 12(2), 8G(a)(1), and 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.), respectively; or

''(ii) any office of Special Inspector General established by statute;

''(B) the Council of the Inspectors General on Integrity and Efficiency established under section 11 of the Inspector General Act of 1978 (5 U.S.C. App.); or

''(C) the Recovery Accountability and Transparency Board established under section 1521 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 289).''.

SA 1680. Mr. VOINOVICH (for himself, Mr. LEAHY, Mr. BOND, Mr. BEGICH, Mr. BENNETT, Mr. BYRD, Mr. CASEY, Mr. COCHRAN, Mr. CRAPO, Mr. DORGAN, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROCKEFELLER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1211. AVAILABILITY OF APPROPRIATED FUNDS FOR THE STATE PARTNERSHIP PROGRAM.

(a) AVAILABILITY OF APPROPRIATED FUNDS.—The Secretary of Defense may, under regulations prescribed by the Secretary, use funds appropriated to the Department of Defense for fiscal year 2010 to pay the costs incurred by the National Guard (including the costs of pay and allowances of members of the National Guard) in conducting activities under the State Partnership Program—

(1) to support the objectives of the commander of the combatant command for the theater of operations in which such activities are conducted; or

(2) to build international civil-military partnerships and capacity on matters relating to defense and security.

(b) LIMITATIONS.—

(1) APPROVAL BY COMMANDER OF COMBATANT COMMAND AND CHIEF OF MISSION.—Funds shall not be available under subsection (a) for activities conducted under the State Partnership Program in a foreign country unless such activities are jointly approved by the commander of the combatant command concerned and the chief of mission concerned.

(2) PARTICIPATION BY MEMBERS.—Funds shall not be available under subsection (a) for the participation of a member of the National Guard in activities conducted under the State Partnership Program in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation.

(c) REIMBURSEMENT.—In the event of the participation of personnel of a department or agency of the United States Government (other than the Department of Defense) in activities for which payment is made under subsection (a), the head of such department or agency shall reimburse the Secretary of Defense for the costs associated with the participation of such personnel in such activities. Amounts reimbursed the Department of Defense under this subsection shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

SA 1681. Mrs. LINCOLN (for herself, Ms. LANDRIEU, Mr. TESTER, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI insert the following:

SEC. 635. TRAVEL AND TRANSPORTATION ALLOWANCES FOR MEMBERS OF THE RESERVE COMPONENTS FOR LONG DISTANCE AND CERTAIN OTHER TRAVEL TO INACTIVE DUTY TRAINING.

Section 408a(c) of title 37, United States Code, is amended by inserting after the first sentence the following: ''The regulations may not, for purposes of subsection (a), define normal commuting distance as any distance greater then 100 miles.''.

SA 1682. Mr. CONRAD (for himself, Mr. ENZI, Mr. HATCH, Mr. TESTER, Mr. BENNETT, Mr. BAUCUS, Mr. BARRASSO, and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1083. SENSE OF CONGRESS ON THE STRATEGIC IMPORTANCE OF THE INTERCONTINENTAL BALLISTIC MISSILE.

(a) FINDINGS.—Congress makes the following findings:

(1) President Barack Obama stated in his speech on April 4, 2009, in Prague, Czech Republic, on working toward a world without nuclear weapons, ''as long as these weapons exist, we will maintain a safe, secure and effective arsenal to deter any adversary, and guarantee that defense to our allies''.

(2) The Congressional Commission on the Strategic Posture of the United States

found, in the Commission's final report, that preserving the triad of strategic nuclear delivery systems is essential to ensuring the reliability and credibility of the nuclear force, and that the nuclear triad becomes even more important as the size of the nuclear force of the United States is reduced.

(3) The stabilizing, reliable, and cost-effective Minuteman III intercontinental ballistic missile is a critically important component of the nuclear triad, essential for the United States to deter its enemies, assure its allies, and dissuade potential future adversaries.

(4) The current 450-missile force, with its inherent broad dispersion, low warhead loading, and high readiness and reliability, makes a successful disarming attack nearly impossible and eliminates pressure to maintain a launch-on-warning posture.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) as the United States and Russia negotiate further reductions in strategic offensive arsenals, the United States must be certain that the long-term vitality of the triad of strategic nuclear delivery systems is not threatened;

(2) the land-based nuclear force is the most stabilizing portion of the nuclear arsenal of the United States and it becomes even more so as the total number of weapons in the arsenal shrinks; and

(3) a robust intercontinental ballistic missile force is an essential component of the nuclear triad and must be retained to advance the Nation's nuclear strategy of deterrence, assurance, and dissuasion.

SA 1683. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—Quadrennial Defense Review Matters

SEC. 1091. NATIONAL DEFENSE PANEL.

(a) ESTABLISHMENT.—There is established a bipartisan, independent panel to be known as the National Defense Panel (in this section referred to as the ''Panel'').

(b) MEMBERSHIP.—The Panel shall be composed of twelve members who are recognized experts in matters relating to the national security of the United States. The members shall be appointed as follows:

(1) Three by the chairman of the Committee on Armed Services of the House of Representatives.

(2) Three by the chairman of the Committee on Armed Services of the Senate.

(3) Three by the ranking member of the Committee on Armed Services of the House of Representatives.

(4) Three by the ranking member of the Committee on Armed Services of the Senate.

(c) CO-CHAIRS OF THE PANEL.—The chairman of the Committee on Armed Services of the House of Representatives and the chairman of the Committee of Armed Services of the Senate shall each designate one of their appointees under subsection (b) to serve as co-chair of the panel.

(d) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Panel. Any vacancy in the Panel shall be filled in the same manner as the original appointment.

(e) DUTIES.—The Panel shall—

(1) review the national defense strategy, the national military strategy, the Secretary of Defense's terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on the 2009 quadrennial defense review under section 118 of title 10, United States Code (in this subsection referred to as the ''2009 QDR''), as well as the 2009 QDR itself;

(2) conduct an assessment of the assumptions, strategy, findings, costs, and risks in the report of the 2009 QDR under subsection (d) of such section, with particular attention paid to the risks described in that report;

(3) submit to the Committees on Armed Services of the Senate and House of Representatives and the Secretary an independent assessment of a variety of possible force structures of the Armed Forces, including the force structure identified in the report of the 2009 QDR, suitable to meet the requirements identified in the review required in paragraph (1);

(4) to the extent practicable, estimate the funding required by fiscal year, in constant fiscal year 2010 dollars, to organize, equip, and support the forces contemplated under the force structures included in the assessment under paragraph (3); and

(5) provide to the Committees on Armed Services of the Senate and House of Representatives and the Secretary of Defense, through the reports under subsection (g), any recommendations it considers appropriate for their consideration.

(f) FIRST MEETING.—The Panel shall hold its first meeting not later than 30 days after the date on which all appointments to the Panel under paragraphs (1), (2), (3), and (4) of subsection (b) have been made.

(g) REPORTS.—

(1) INTERIM REPORT OF PANEL.—Not later than February 15, 2010, the Panel shall submit an interim report on its findings to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(2) FINAL REPORT OF PANEL.—Not later than January 15, 2011, the Panel shall submit its final report, together with any recommendations, to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(3) REPORT OF SECRETARY OF DEFENSE.—Not later than February 15, 2011, the Secretary of Defense, after consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the Committees on Armed Services of the Senate and House of Representatives the Secretary's comments on the Panel's final report under paragraph (2).

(h) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of components of the Department such information as the Panel considers necessary to carry out its duties under this section. The Secretary of Defense and the head of the component concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

(i) FFRDC SUPPORT.—Upon the request of the co-chairs of the Panel, the Secretary of Defense shall make available to the Panel the services of any federally funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

(j) PERSONNEL MATTERS.—The Panel shall have the authorities provided in section 3161 of title 5, United States Code, and shall be subject to the conditions set forth in such section.

(k) PAYMENT OF PANEL EXPENSES.—Funds for activities of the Panel shall be provided from unobligated amounts available to the Department of Defense.

(l) TERMINATION.—The Panel shall terminate 45 days after the date on which the Panel submits its final report under subsection (g)(2).

SEC. 1092. REPORTS ON STATUTORY COMPLIANCE OF THE REPORT ON THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the Secretary of Defense submits the report required by subsection (d) of section 118 of title 10, United States Code, on the 2009 quadrennial defense review required by subsection (a) of that section, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense a report on the degree to which the report on the 2009 quadrennial defense review complies with the requirements of such subsection (d).

(b) SECRETARY OF DEFENSE REPORT.—If the Comptroller General determines that the report on the 2009 quadrennial defense review deviates significantly from the requirements of subsection (d) of section 118 of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report addressing the areas of deviation not later than 30 days after the submittal of the report by the Comptroller General required by subsection (a).

SEC. 1093. REPORT ON THE FORCE STRUCTURE FINDINGS OF THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) IN GENERAL.—Concurrent with the delivery of the report on the 2009 quadrennial defense review required by section 118(d) of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report with a classified annex containing—

(1) the analyses used to determine and support the findings on force structure required by such section; and

(2) a description of any changes from the 2006 quadrennial defense review to the minimum military requirements for major military capabilities.

(b) MAJOR MILITARY CAPABILITIES DEFINED.—In this section, the term ''major military capabilities'' includes any capability the Secretary determines to be a major military capability, any capability discussed in the report of the 2006 quadrennial defense review, and any capability described in paragraph (9) or (10) of section 118(d) of title 10, United States Code.

SA 1684. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—Quadrennial Defense Review Matters

SEC. 1091. NATIONAL DEFENSE PANEL.

(a) ESTABLISHMENT.—There is established a bipartisan, independent panel to be known as the National Defense Panel (in this section referred to as the ''Panel'').

(b) MEMBERSHIP.—The Panel shall be composed of twelve members who are recognized experts in matters relating to the national security of the United States. The members shall be appointed as follows:

(1) Three by the chairman of the Committee on Armed Services of the House of Representatives.

(2) Three by the chairman of the Committee on Armed Services of the Senate.

(3) Three by the ranking member of the Committee on Armed Services of the House of Representatives.

(4) Three by the ranking member of the Committee on Armed Services of the Senate.

(c) CO-CHAIRS OF THE PANEL.—The chairman of the Committee on Armed Services of the House of Representatives and the chairman of the Committee of Armed Services of the Senate shall each designate one of their appointees under subsection (b) to serve as co-chair of the panel.

(d) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Panel. Any vacancy in the Panel shall be filled in the same manner as the original appointment.

(e) DUTIES.—The Panel shall—

(1) review the national defense strategy, the national military strategy, the Secretary of Defense's terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on the 2009 quadrennial defense review under section 118 of title 10, United States Code (in this subsection referred to as the ''2009 QDR''), as well as the 2009 QDR itself;

(2) conduct an assessment of the assumptions, strategy, findings, costs, and risks in the report of the 2009 QDR under subsection (d) of such section, with particular attention paid to the risks described in that report;

(3) submit to the Committees on Armed Services of the Senate and House of Representatives and the Secretary an independent assessment of a variety of possible force structures of the Armed Forces, including the force structure identified in the report of the 2009 QDR, suitable to meet the requirements identified in the review required in paragraph (1);

(4) to the extent practicable, estimate the funding required by fiscal year, in constant fiscal year 2010 dollars, to organize, equip, and support the forces contemplated under the force structures included in the assessment under paragraph (3); and

(5) provide to the Committees on Armed Services of the Senate and House of Representatives and the Secretary of Defense, through the reports under subsection (g), any recommendations it considers appropriate for their consideration.

(f) FIRST MEETING.—The Panel shall hold its first meeting not later than 30 days after the date on which all appointments to the Panel under paragraphs (1), (2), (3), and (4) of subsection (b) have been made.

(g) REPORTS.—

(1) INTERIM REPORT OF PANEL.—Not later than February 15, 2010, the Panel shall submit an interim report on its findings to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(2) FINAL REPORT OF PANEL.—Not later than January 15, 2011, the Panel shall submit its final report, together with any recommendations, to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense.

(3) REPORT OF SECRETARY OF DEFENSE.—Not later than February 15, 2011, the Secretary of Defense, after consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the Committees on Armed Services of the Senate and House of Representatives the Secretary's comments on the Panel's final report under paragraph (2).

(h) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of components of the Department such information as the Panel considers necessary to carry out its duties under this section. The Secretary of Defense and the head of the component concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

(i) FFRDC SUPPORT.—Upon the request of the co-chairs of the Panel, the Secretary of Defense shall make available to the Panel the services of any federally funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

(j) PERSONNEL MATTERS.—The Panel shall have the authorities provided in section 3161 of title 5, United States Code, and shall be subject to the conditions set forth in such section.

(k) PAYMENT OF PANEL EXPENSES.—Funds for activities of the Panel shall be provided from unobligated amounts available to the Department of Defense.

(l) TERMINATION.—The Panel shall terminate 45 days after the date on which the Panel submits its final report under subsection (g)(2).

SEC. 1092. REPORTS ON STATUTORY COMPLIANCE OF THE REPORT ON THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the Secretary of Defense submits the report required by subsection (d) of section 118 of title 10, United States Code, on the 2009 quadrennial defense review required by subsection (a) of that section, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and House of Representatives and to the Secretary of Defense a report on the degree to which the report on the 2009 quadrennial defense review complies with the requirements of such subsection (d).

(b) SECRETARY OF DEFENSE REPORT.—If the Comptroller General determines that the report on the 2009 quadrennial defense review deviates significantly from the requirements of subsection (d) of section 118 of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report addressing the areas of deviation not later than 30 days after the submittal of the report by the Comptroller General required by subsection (a).

SEC. 1093. REPORT ON THE FORCE STRUCTURE FINDINGS OF THE 2009 QUADRENNIAL DEFENSE REVIEW.

(a) IN GENERAL.—Concurrent with the delivery of the report on the 2009 quadrennial defense review required by section 118(d) of title 10, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report with a classified annex containing—

(1) the analyses used to determine and support the findings on force structure required by such section; and

(2) a description of any changes from the 2006 quadrennial defense review to the minimum military requirements for major military capabilities.

(b) MAJOR MILITARY CAPABILITIES DEFINED.—In this section, the term ''major military capabilities'' includes any capability the Secretary determines to be a major military capability, any capability discussed in the report of the 2006 quadrennial defense review, and any capability described in paragraph (9) or (10) of section 118(d) of title 10, United States Code.

SA 1685. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. HATE CRIMES.

(a) FINDINGS.—Notwithstanding any other provision of this Act, any finding by Congress in division _____ of this Act relating to actual or perceived gender identity shall have no force or effect and shall be null and void.

(b) SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS.—Notwithstanding any other provision of this Act, the Attorney General may not provide assistance to a State, local, or tribal law enforcement agency under section ___04 of this Act based on actual or perceived gender identity.

(c) FEDERAL OFFENSE.—Notwithstanding any other provision of this Act, section 924 of title 18, United States Code, as added by section ___07 of this Act, is amended—

(1) in subsection (a)(2)—

(A) in the paragraph heading, by striking ''GENDER IDENTITY,''; and

(B) in subparagraph (A), by striking ''gender identity''; and

(2) in subsection (c)—

(A) in paragraph (2), by adding ''and'' at the end;

(B) in paragraph (3), by striking ''; and'' and inserting a period; and

(C) by striking paragraph (4).

(d) STATISTICS.—Notwithstanding any other provision of this Act, subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note), as amended by section ___08 of this Act, is amended by striking ''and gender identity''.

(e) RULE OF CONSTRUCTION.—Notwithstanding any other provision of this Act, division ____ of this Act (relating to hate crimes), and the amendments made by that division, shall not apply to actual or perceived gender identity.

SA 1686. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking all after ''shall audit an agency'' and inserting a period.

(b) AUDIT.—Section 714 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(e) AUDIT AND REPORT OF THE FEDERAL RESERVE SYSTEM.—

''(1) IN GENERAL.—The audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) shall be completed before the end of 2010.

''(2) REPORT.—

''(A) REQUIRED.—A report on the audit referred to in paragraph (1) shall be submitted by the Comptroller General to the Congress before the end of the 90-day period beginning on the date on which such audit is completed

and made available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests it.

''(B) CONTENTS.—The report under subparagraph (A) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.''.

SA 1687. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 475, between lines 2 and 3, insert the following:

SEC. 1211. CERTIFICATION REQUIREMENT FOR COALITION SUPPORT FUND REIMBURSEMENTS.

Section 1232(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 392), as amended by section 1217 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4634), is amended—

(1) in paragraph (1)(A), by striking ''the Secretary of Defense shall submit'' and inserting ''the Secretary of Defense, after consultation with the Secretary of State, shall submit''; and

(2) in paragraph (2)—

(A) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting each clause, as so redesignated, 6 ems from the left margin;

(B) by striking ''shall include an itemized description'' and inserting the following: ''shall include the following:

''(A) An itemized description''; and

(C) by adding at the end the following new subparagraph:

''(B) A certification that the reimbursement—

''(i) is consistent with the national security interests of the United States; and

''(ii) will not adversely impact the balance of power in the region.''.

SA 1688. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1083. CONTRACTING IMPROVEMENTS.

(a) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively; and

(2) the terms ''HUBZone small business concern'', ''small business concern'', ''small business concern owned and controlled by service-disabled veterans'', and ''small business concern owned and controlled by women'' have the same meanings as in section 3 of the Small Business Act (15 U.S.C. 632).

(b) CONTRACTING OPPORTUNITIES.—Section 31(b)(2)(B) of the Small Business Act (15 U.S.C. 657a(b)(2)(B)) is amended by striking ''shall'' and inserting ''may''.

(c) CONTRACTING GOALS.—Section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) is amended in the fourth sentence by inserting ''and subcontract'' after ''not less than 3 percent of the total value of all prime contract''.

(d) MENTOR-PROTEGE PROGRAMS.—The Administrator may establish mentor-protege programs for small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by women, and HUBZone small business concerns modeled on the mentor-protege program of the Administration for small business concerns participating in programs under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

SA 1689. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1073. REPORT ON DOCUMENTATION OF SUPPORT PROVIDED BY MEMBERS OF THE ARMED FORCES OUTSIDE THE REQUIREMENTS OF THEIR MILITARY OCCUPATIONS.

(a) IN GENERAL.—Not later than March 31, 2010, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the documentation of the support provided by members of the Armed Forces while deployed in support of contingency operations that is provided—

(1) as a result of operational requirements; and

(2) outside of the requirements of their military occupations.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the mechanisms used by the Secretary, if any, to document the support provided by members of the Armed Forces while deployed in support of contingency operations that is provided as a result of operational requirements and outside of the requirements of their military occupations, including documentation of participation in operational missions that involve combat experience.

(2) Recommendations for the improvement or creation of mechanisms described in paragraph (1).

(3) An assessment of the feasibility and advisability of creating and implementing an experience, service, or skill identifier to identify the support described in paragraph (1).

(4) An assessment of whether such identifier could be used effectively and efficiently for the provision of training and assignment matching.

(5) An assessment of whether the current chain of command construct allows members described in paragraph (1) who provide support described in such paragraph sufficient opportunity to obtain recognition for their service.

(6) An identification of the differences between service in the reserve components of the Armed Forces and service in the regular components of the Armed Forces and how those differences affect the matters described in paragraphs (1) through (5).

(7) An assessment of how a mechanism described in paragraph (1) could be used to improve determinations of whether a member of the Armed Forces has, for purposes of establishing service-connection for a disease or injury under section 1154(b) of title 38, United States Code, engaged in combat with the enemy in active service with a military, naval, or air organization of the United States during a period of war, campaign, or expedition.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the Public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 28, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nominations of James J. Markowsky, to be an Assistant Secretary of Energy (Fossil Energy), Warren F. Miller, Jr., to be an Assistant Secretary of Energy (Nuclear Energy) and Director of the Office of Civilian Radioactive Waste, Anthony M. Babauta, to be an Assistant Secretary of the Interior (Insular Areas), and Jonathan B. Jarvis, to be the Director of the National Park Service.

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.

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 business meeting has been scheduled before Committee on Energy and Natural Resources. The business meeting will be held on Tuesday, July 28, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building, immediately preceding the hearing on other nominations.

The purpose of the business meeting is to consider pending nominations.

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 COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, July 21, 2009, in Russell 253, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, July 21, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND SUBCOMMITTEE ON GREEN JOBS AND THE NEW ECONOMY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Green Jobs and the New Economy be authorized to meet during the session of the Senate on Tuesday, July 21, 2009, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 21, 2009, at 10:15 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 21, 2009, at 2:15 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 21, 2009, to hold a hearing entitled ''The National Security Implications of Climate Change.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 21, 2009, at 10 a.m., in SH–216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, July 21, at 2:30 p.m., to conduct a hearing entitled, ''Excessive Speculation in the Wheat Market.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 21, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION, REFUGEES, AND BORDER SECURITY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration, Refugees, and Border Security, be authorized to meet during the session of the Senate, on July 21, 2009, at 2:15 pm, in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Ensuring a Legal Workforce: What Changes Should be Made to Our Current Employment Verification System?''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the Army fellow in my office, David Evans, be granted the privileges of the floor during consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that Lea Shanley, a congressional science fellow in my office, be granted the privilege of the floor for the duration of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

COURT OF IMPEACHMENT FLOOR PRIVILEGES

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate convenes as a Court of Impeachment with regard to the case of Samuel B. Kent, the following list of staff from the House of Representatives be provided floor privileges during those proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. I send the list to the desk.

The list is as follows:

Phil Tahtakran, Branden Ritchie, Ryan Clough, Michael Lenn, Danielle Brown, Alan Baron, Allison Halataei, Jessica Klein, and Kirsten Konar.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 111–25, announces the appointment of the following individuals to serve as members of the Ronald Reagan Centennial Commission: Sig Rogich of Nevada and Frank Fahrenkoph of Nevada.

MAKING MINORITY PARTY APPOINTMENTS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 218, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 218) making minority party appointments to the 111th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. 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. 218) was agreed to, as follows:

S. RES. 218

Resolved, That the following be the minority membership on the following committees for the remainder of the 111th Congress, or until their successors ar appointed:

COMMITTEE ON AGRICULTURE NUTRITION AND FORESTRY: Mr. Chambliss, Mr. Lugar, Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Johanns, Mr. Grassley, Mr. Thune, and Mr. Cornyn.

COMMITTEE ON FOREIGN RELATIONS: Mr. Lugar, Mr. Corker, Mr. Isakson, Mr. Risch, Mr. DeMint, Mr. Barrasso, Mr. Wicker, and Mr. Inhofe.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins, Mr. Coburn, Mr. McCain, Mr. Voinovich, Mr. Ensign, Mr. Graham, and Mr. Bennett.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Snowe, Mr. Bond, Mr. Vitter, Mr. Thune, Mr. Enzi, Mr. Isakson, Mr. Wicker, and Mr. Risch.

SPECIAL COMMITTEE ON AGING: Mr. Martinez, Mr. Shelby, Ms. Collins, Mr. Corker, Mr. Hatch, Mr. Brownback, Mr. Graham, and Mr. Chambliss.

40TH ANNIVERSARY OF THE FOOD AND NUTRITION SERVICE

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 164, at the desk and just received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 164) recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BROWN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 164) was agreed to.

The preamble was agreed to.

S. 1390 AMENDMENT FILING DEADLINE

Mr. BROWN. Mr. President, for the information of the Senate, the managers of the Department of Defense authorization measure have asked for a filing deadline of first-degree amendments to the bill. While no consent will be granted tonight, it is expected that tomorrow morning unanimous consent will be requested for a filing deadline of 11 a.m., Wednesday, July 22.

NEW FRONTIER CONGRESSIONAL GOLD MEDAL ACT

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2245, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2245) to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

There being no objection, the Senate proceeded to consider the bill.

Mr. BROWN. Mr. President, I would note that of the four names the clerk read—those four national heroes—two of them are from Ohio, Neil Armstrong and John Glenn.

Mr. BROWN. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2245) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, JULY 22, 2009

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Wednesday, July 22; 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 Calendar No. 89, S. 1390, the Department of Defense authorization bill, as provided for under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN. Mr. President, under the previous order, the time until 12 o'clock will be equally divided and controlled between Senators THUNE and DURBIN or their designees. At 12 o'clock, the Senate will proceed to a rollcall vote in relation to the Thune amendment. Additional rollcall votes are expected throughout the day.

As a reminder, at 2 p.m. tomorrow, there will be a live quorum with respect to the Court of Impeachment of Samuel B. Kent.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:40 p.m., adjourned until Wednesday, July 22, 2009, at 9:30 a.m.

EXTENSIONS OF REMARKS

RESTORE OUR AMERICAN MUSTANGS ACT

SPEECH OF

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 17, 2009

Mr. FARR. Mr. Speaker, I want to speak to some of the false statements of my colleagues. It has been said repeatedly that the American people are suffering and job losses are at an all-time high and that this is the Democratic response—to debate a bill about horse welfare. But this bill will actually save taxpayer money. It reforms an inefficient program that wastes taxpayer dollars, and makes it a fiscally responsible program.

My colleagues also say that this bill will cost $700 million or more. This is unequivocally false. This is simply fear-mongering. The truth is that the bill promotes on-the-range management and reduces the number of horses in costly short-term and long-term holding facilities, partly through more widespread use of fertility control. In FY 2008, the Bureau of Land Management (BLM) spent $36.2 million on its entire wild horse and burro program and the cost of holding wild horses and burros in its facilities exceeded $27 million—more than two-thirds of the BLM's total budget. The current program is a train wreck, and H.R. 1018 addresses the core problems of this program. By implementing herd reduction with birth control, the U.S. Geological Survey says H.R. 1018 will save taxpayers $7.7 million a year and the Journal of Wildlife Management says it will save "$6.1" million a year.

In addition, it has been said that the management of wild horses and burros only affects western states. This is simply ridiculous because every American, not only those in western states, pays tax dollars to a fiscally irresponsible program to manage these horses. H.R. 1018 will save all American taxpayers money by increasing the efficiency of the BLM program.

I have also heard arguments that no one is talking about slaughter and that it should not be a part of the debate. However, it is a fact that the BLM was going to slaughter 30,000 completely healthy horses, not terminally ill ones, because there was not enough space for them. H.R. 1018 will prevent this from happening.

The status quo cannot be allowed to continue. I urge my colleagues to vote yes on H.R. 1018 and no on the Hastings amendment.

PERSONAL EXPLANATION

HON. LEONARD L. BOSWELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. BOSWELL. Madam Speaker, I regret missing afternoon and evening votes from the House on June 20th. Had I been present, I would have voted "aye" on rollcall votes 593, 594, 595.

EARMARK DECLARATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. TURNER. Madam Speaker, I submit the following statement regarding Member Requests Associated with the following bills: The FY2010 National Defense Authorization Act, the FY2010 Military Construction/VA Appropriations Act, the FY2010 Department of Interior and Related Agencies Appropriations Act, and the FY2010 Department of Agriculture Appropriations Act

1. Project—Integrated Electrical Starter/Generator (IES/G)

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: GE Aviation Systems, Electrical Power

Address of Requesting Entity: 740 E. National Rd, Vandalia, OH 45377

Description of Request: The funding would be used to help develop a pre-prototype, sensor-less IES/G to demonstrate the feasibility of supplying both main engine start function and the electrical power necessary to operate all aircraft systems.

2. Project—Production of Nanocomposites for Aeorospace Applications

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: NanoSperse, LLC

Address of Requesting Entity: 2000 Composite Drive, Kettering, OH 45420

Description of Request: The funding being requested will transition nano-materials technology into Air Force applications.

3. Project—Open Source Research Centers

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: Radiance Technologies

Address of Requesting Entity: 3100 Presidential Dr, Suite 200, Fairborn, Ohio 45324

Description of Request: The funding being requested will provide support to government agencies that are already overburdened with classified research requirements and do not have resources to meet the open source requirements.

4. Project—Tactical Metal Fabrication System (TacFab)

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Army, RDT&E

Legal Name of Requesting Entity: BuyCASTINGS.com, Inc.

Address of Requesting Entity: 2411 Crosspointe Drive, Miamisburg, OH 45342

Description of Request: The funding being requested will help Tactical Metal Fabrication (TacFab) System design, develop and build a mobile, containerized foundry, deployable overseas as a companion to RMS, the Army's Rapid Manufacturing System.

5. Project—Replace West Ramp, Phase 2

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, Mil Con

Legal Name of Requesting Entity: Wright-Patterson Air Force Base

Address of Requesting Entity: Dayton, OH

Description of Request: The funding would be used to remove and replace existing concrete pavement, base, and adjacent paved shoulders at the West Ramp; also relocate underground utilities and warm-up pad. Provide taxiwedge lighting, blast deflector, drainage and markings, and all necessary support.

6. Project—Nano-Composite Structures Manufacturing Technology Development

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: Vector Composites, Inc.

Address of Requesting Entity: 3251 McCall Street Dayton, OH 45417

Description of Request: The funding being requested will enable the nano-composite materials and structures manufacturing technology development and demonstration from this R&D project to meet national defense needs by providing lighter weight and lower cost composite structures manufacturing processes for defense systems applications such as sensor and weapon platforms.

7. Project—Commercialization of High-Rate Polyimide Composites for Military and Commercial Aircraft

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: Renegade Materials Corporation

Address of Requesting Entity: 3363 South Tech Blvd. Springboro, Ohio 45342

Description of Request: The funding being requested will make it possible to complete the materials testing database which is essential to all aircraft qualifications that the new, high temperature, high-rate polyimide composite materials will have to successfully pass in order to see use on military and commercial aircraft.

8. Project—Rapid Automated Processing of Advanced Low Observables

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: ATK Aerospace Structures

Address of Requesting Entity: 1365 Technology Court, Dayton, Ohio 45430

Description of Request: The funding being requested will make it possible to develop an automated, cost savings Frequency Selective Surfaces (FSS) process that military combat aircraft and naval vessels rely extensively on

to provide situational awareness and threat termination.

9. Project—Technical Sensors Integrated Ground Station

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: Ball Aerospace & Technologies Corp.

Address of Requesting Entity: 2875 Presidential Drive; Suite 180 Fairborn, OH 45324

Description of Request: The funding being requested will enable the Air Force, through NASIC, to satisfy ODNI guidance to transition Tech Sensors into an operational environment.

10. Project—Advanced Technical Intelligence Center (ATIC)

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: Advanced Technical Intelligence Center for Human Capital Development (ATIC)

Address of Requesting Entity: 2685 Hibiscus Way, Suite 110, Beavercreek, OH 45431

Description of Request: The funding being requested will enable ATIC to continue and expand its mission to educate future technical intelligence experts while conducting basic research necessary to sustain technology advancements in support of the Intelligence Community and the warfighter.

11. Project—Advanced Meta Materials

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2647

Account: Air Force, RDT&E

Legal Name of Requesting Entity: Mound Laser & Photonics Center, Inc.

Address of Requesting Entity: 965 Capstone Drive, Suite 308, Miamisburg, OH 45342

Description of Request: The funding being requested will be used to design, model, and fabricate meta material systems that could be incorporated into aircraft antenna designs which could be used to significantly improve antenna technology and performance.

12. Project—The City of Vandalia for airport access road water and sewer extensions

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2996

Account: STAG Water and Wastewater Infrastructure Project

Legal Name of Requesting Entity: City of Vandalia, Vandalia, OH

Address of Requesting Entity: 333 James Bohanan Drive, Vandalia, OH 45377

Description of Request: Funding for this project will go toward the extension of water and sanitary sewer lines west from Peters Pike across the Airport Access Road. The installation of these utilities will increase the value of the property and pave the way for future economic development on the west side of Vandalia adjacent to the Dayton International Airport.

13. Project—Replace West Ramp, Phase 2

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 3082

Account: Air Force, Mil Con

Legal Name of Requesting Entity: Wright-Patterson Air Force Base

Address of Requesting Entity: Dayton, OH

Description of Request: The funding would be used to remove and replace existing concrete pavement, base, and adjacent paved shoulders at the West Ramp; and also relocate underground utilities and warm-up pad. Provide taxiwedge lighting, blast deflectors, drainage and markings, and all necessary support.

14. Project—Dietary Intervention, OH

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 2997

Account: RE/FA

Legal Name of Requesting Entity: Ohio Agriculture Research and Development Center

Address of Requesting Entity: 1680 Madison Ave., Wooster, OH 44691

Description of Request: This phase of the project is to initiate a trial to: (1) evaluate the ability of freeze-dried black raspberries (FBR) to prevent the recurrence of colorectal cancer; (2) initiate a trial to determine the ability of FBR to prevent gastric (stomach) cancer; and (3) investigate the metabolism of berry ellagitannins and anthocyanins and determine the bioactivity of the metabolites.

15. Project—Holes Creek, West Carrollton, OH

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 3183

Account: Corps of Engineers Construction

Legal Name of Requesting Entity: The Miami Conservancy District

Address of Requesting Entity: 38 East Monument Avenue, Dayton, OH 45402

Description of Request: This project protects approximately 600 homes in West Carrollton, Moraine and Miami Township (Montgomery County) from flooding. Funds will go toward the construction of a levee and floodwall to also protect 13 commercial and industrial properties north of the creek, and purchase three flood-prone properties south of the creek and remove the structures, completing this flood protection project.

16. Project—Ohio Environmental Infrastructure, OH: City of Hillsboro, Highland County, OH

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 3183

Account: Corps of Engineers, Construction

Legal Name of Requesting Entity: City of Hillsboro, Ohio

Address of Requesting Entity: 130 N. High Street, Hillsboro, Ohio 45133

Description of Request: Hillsboro, Ohio, located in rural Highland County is in need of updating its Wastewater Treatment Facility and wastewater infrastructure. Specifically, the funds requested would be used for the construction of needed improvements to their wastewater treatment plant and the installation of additional equalization basins. Funds will also be used to upgrade aging water infrastructure for the treatment of waste.

17. Project—Ohio Environmental Infrastructure, OH: Village of Blanchester, Clinton County, OH

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 3183

Account: Corps of Engineers, Construction

Legal Name of Requesting Entity: Village of Blanchester, Ohio

Address of Requesting Entity: 318 E. Main Street, Suite 302, PO Box 158 Blanchester, Ohio 45107

Description of Request: Blanchester, Ohio located in rural Clinton County, Ohio has a wastewater treatment system which is over capacity. Funds for this project will be used to increase treatment system capacity to assist this community in their compliance with state EPA standards.

18. Project—Miamisburg Mound Energy Park Redevelopment

Requesting Member: MICHAEL TURNER

Bill Number: H.R. 3183

Account: Department of Energy, Other Defense Activities

Legal Name of Requesting Entity: Miamisburg Mound Community Improvement Corporation

Address of Requesting Entity: 965 Capstone Drive, P.O. Box 232 Miamisburg, Ohio 45342

Description of Request: Funds for this project will go toward the redevelopment of the Miamisburg Mound, a former Department of Energy facility which is currently undergoing extensive environmental remediation. The site will be redeveloped into a science and technology business park.

INTRODUCTION OF THE ''GREEN ROUTES TO WORK ACT OF 2009''

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. BLUMENAUER. Madam Speaker, Americans have made it clear that they want transportation options. In a recent study by the Pew Charitable Trusts, 52% of Americans support increased funding for bike, pedestrian and public transportation programs. On average, transportation costs are now Americans' second largest expense after housing. This impacts on business owners, as employees spend over 4.2 billion hours stuck in traffic each year—averaging up to almost a week per year per employee. If more Americans commute using alternative modes of transportation, we will see improvements in the economy, workplace productivity, and quality of life.

In order to help communities provide families with more choices and level the playing field for people who want to be less auto-dependent, the federal government must be a better partner in these efforts.

This is why I am introducing the ''Green Routes to Work Act of 2009,'' which will provide consumers with commuting choices. The bill will help companies provide their employees with options, improve service to deal with increased demand and ensure that the federal government leads by example.

As gas prices increase, many Americans are already changing their daily behaviors to decrease fuel costs: taking fewer trips, keeping their cars tuned, even trading in their gas guzzlers for more fuel-efficient models. Through the incentives in this bill, the federal government can support consumers who wish to use environmentally friendly, active transportation modes that save them money in the long run, such as public transit, carpooling, biking, walking and telecommuting.

For too long, the federal government has supported commuters who drove to work, but has not helped those who use other methods of transportation. The passage of legislation last year to allow employers to provide transportation fringe benefits to bike commuters was a good first step. But with a changing climate, expanding waistlines and more congested roadways, it's time for the federal government to become more aggressive in helping to provide choices. This not only makes environmental and public health sense, it makes economic sense: at $4 a gallon gasoline, American families can save $5.6 billion

each year on gasoline costs by using transit. Bicycle commuters annually save an average of $1,825 in auto-related costs, conserve 145 gallons of gasoline, and avoid 50 hours of gridlock traffic.

I hope my colleagues will join me in supporting this legislation to support businesses in their effort to provide choices for commuting employees.

EARMARK DECLARATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. CONAWAY. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account, to the Animal Fiber Research Program. This funding would assist in the ongoing Wool Research Program. This program is a partnership between the Texas Agriculture Experiment Station in San Angelo, TX, New Mexico State University and Montana State University. This program helps enhance the quality and quantity of wool and mohair produced in this country. In addition, significant efforts are being made to work with small ruminants as a means to control invasive brush which is a major issue in many parts of Texas degrading rangelands and taking precious water. The project is located at 7887, U.S. Highway 87N, San Angelo, Texas, 76901.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account to continue partial funding of the state-of-the-art multidisciplinary research approach at the International Cotton Center at Texas Tech University. The International Cotton Center conducts cotton research programs for cotton production systems and provides market and policy analysis for natural fibers (cotton, wool, and mohair) in an effort to increase profitability and maintain viability of all segments of the U.S. cotton industry in an increasingly competitive and volatile international market. The project research would be centrally located at Texas Tech University, located at 2500 Broadway, Lubbock, Texas 79409.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account, to continue partial funding for the Center for Food Industry Excellence at Texas Tech University. The Center for Food Industry Excellence is a federal and state supported program that conducts systematic development and evaluations of production, processing and preparation methods of food products to achieve a safer and more nutritious food supply. The project research would be centrally located at Texas Tech University, located at 2500 Broadway, Lubbock, Texas 79409.

EARMARK DECLARATION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. SMITH of New Jersey. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 10 Energy and Water Development Appropriation Act.

Requesting Member: Rep. CHRISTOPHER H. SMITH

Bill Number: H.R. 3183

Project name: Wreck Pond Clean-Up

Account: Army Corps of Engineers—Investigations

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: Jacob K. Javits Federal Building, 26 Federal Plaza, Room 2109, New York, NY 10278–0090.

Description of Request: Enable the Army Corps to continue and further its partnerships with state and local officials in the effort to fully clear toxic contamination from Wreck Pond. Overflow contaminants from Wreck Pond pollute the Ocean and such pollution has been responsible for more than 80% of all beach closings on the New Jersey shore. Planned remedies such as dredging will reduce flooding, ensure improved water quality, protect ocean swimmers and prevent beach closings.

Project name: Assunpink Creek Flood Mitigation in Hamilton Township

Account: Army Corps of Engineers—Section 205

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390.

Description of Request: Investigate flooding problems along the Assunpink Creek in Hamilton Township, NJ—an area which has frequent water control problems and environmental degradation—to save structures and contents from flood damage, alleviate cleanup costs for residents in this highly urbanized setting of the area.

Project name: Assunpink Creek Day Lighting Initiative in Trenton

Account: Army Corps of Engineers—Section 1135

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390.

Description of Request: The project seeks to day light Assunpink Creek along the Broad Street culvert—which connects various greenway areas and transportation facilities. The corps reports that this will improve anadromous fish migration along Assunpink Creek in Trenton. The project also benefits businesses adjacent to the site and provides recreational, historical and educational opportunities for the community.

Project name: Delaware River Bank Protection, Philadelphia to Trenton

Account: Army Corps of Engineers—Operation and Maintenance

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390.

Description of Request: Maintain and inspect bank protection works, provide bridge reconstruction and perform maintenance dredging of lower reach and turning basin. This project will restore safe and economical navigating depths in the Florence Township area. Funding will be used for maintenance dredging of lower reach and turning basin and to construct three upland disposal sites, and for disposal area maintenance & construction and placement of rip-rap material.

Project name: New Jersey Intracoastal Waterway

Account: Army Corps of Engineers—Operation and Maintenance

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390.

Description of Request: Provides a safe, reliable, and efficient navigation channel for the East Coast's largest and the 5th most valuable commercial fishing fleet in the US, as well as nine US Coast Guard Stations. This funding will be used to perform maintenance dredging of the entrance channel.

Project name: NJ Shore Protection for Sandy Hook to Barnegat Inlet

Account: Army Corps of Engineers—Construction

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: Jacob K. Javits Federal Building, 26 Federal Plaza, Room 2109, New York, NY 10278–0090.

Description of Request: Funding would be used to continue the renourishment phase of the Sandy Hook to Barnegat Inlet, NJ shore protection project. Beach replenishment remedies have been extremely effective in the section of the Jersey shore and ongoing funding is needed to sustain the progress made through the initial successful federal/state shared investment. New Jersey's beaches are a vital recreational and economic resource. Replenishment and sustained maintenance of healthy beaches help protect residents, local businesses, tourist attractions and natural habitats.

Project name: Comprehensive Restoration of the Delaware River

Account: Army Corps of Engineers—Investigations

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390.

Description of Request: Continue the Delaware River plan formulation and evaluation of alternative solutions and mitigation remedies to the region's problems regarding flooding along the river and tributaries. This project will help alleviate significant flood damage for residents while providing ecosystem restoration, protection and enhancement and restoration of public lands.

Project name: Manasquan River Maintenance

Account: Army Corps of Engineers—Operation and Maintenance

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390.

Description of Request: Manasquan River connects the New Jersey Intracoastal Waterway with the Atlantic Ocean. This navigation project provides for 2 jetties; a channel 14 feet deep and 250 feet wide from the ocean to the inner end of the north jetty; and a channel 12 feet deep and 100 to 300 feet wide extending to within 300 feet of the railroad bridge. This funding will be used to perform maintenance dredging of the channel.

EARMARK DECLARATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. CARTER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Requesting Member: JOHN R. CARTER

Bill Number: H.R. 3183

Account: Army Corps of Engineers—Investigations

Requesting entity: Brazos River Authority

Address of Requesting Entity: 4600 Cobb Drive, Waco, TX

Description: $300,000 in funding from the Investigations account of the Army Corps of Engineers for the Middle Brazos River. This program will investigate increasing the water supply of the Middle Brazos Basin. The COE and the Brazos River Authority (BRA) are evaluating the feasibility of increasing the water supply of the Middle Brazos basin by raising lake levels (reallocating flood pool storage to water supply). This is a long-term project aimed at developing additional water at existing reservoir sites for future needs. The $300,000 will be spent by the COE on an interim feasibility study.

Requesting Member: JOHN R. CARTER

Bill Number: H.R. 3183

Account: Dept. of Energy—EERE

Requesting entity: City of Georgetown, TX

Address of Requesting Entity: 113 E. 8th Street, Georgetown TX 78626

Description: The City of Georgetown is a municipal electric power provider, dedicated to efficiently lowering the cost of energy to the customers within their service area. $100,000 in funding is for the planning, engineering and development of a solar power project in partnership with GREX and the Life Sciences Center, Georgetown, Texas. This solar project will be used as a template type "pilot project" to encourage other commercial customers inside our service territory to consider installing similar renewable distributed power facilities to help the customer reduce the consumption of power generated by fossil fueled power plants and benefit the city power system by controlling voltage and maintaining power quality.

IN RECOGNITION OF CAPTAIN ENRIQUE SADSAD UPON RECEIVING THE 2009 MILITARY LEADER OF THE YEAR AWARD

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Captain Enrique Sadsad, who has received the 2009 Military Leader of the Year Award, given by the Association of Defense Communities. Captain Sadsad's tireless pursuit of fostering community bonds, developing defense partnerships and effectively leading the Training Air Wing Five for the Naval Air Station Whiting Field has made a lasting difference in the lives of many in my district.

Captain Sadsad effectively fulfills his military mission through superior leadership of Training Air Wing Five. His duties include coordinating fixed-wing and rotary-wing aircraft pilot training for Navy, Marine Corps, Coast Guard, Air Force and pilots from over a dozen different countries. Under Captain Sadsad's direction, the Training Air Wing Five contributes to 10% of all Naval Flight hours flown worldwide. Captain Sadsad still finds the time to go above and beyond his call of duty to actively engage in the community exemplified through his involvement with numerous programs. Chief among them include; the Covenant Hospice Veteran program, American Cancer Society, Habitat for Humanity, Junior Reserve Officer Training Course, Partners-in-Education, Manna Food Bank, Big Brothers and Big Sisters, and the Drug Education for Youth program.

Moreover, Captain Sadsad's successful joint venture with County and State Encroachment Partnering has resulted in the acquisition of more than 1,000 acres of conservation easements contributing to the protection of the mission at NAS Whiting Field. In addition, Captain Sadsad has sought to diligently work with resource management to oversee the preservation of several rare, threatened and endangered wildlife species as well as overseeing 2,351 acres of forestland, 317 acres of wetlands, and 742 acres in Agricultural leases.

Madam Speaker, on behalf of the United States Congress, I would like to thank Captain Enrique Sadsad for his dedicated efforts of training our service men and women and conscientiously working to improve the community of Northwest Florida. Vicki and I send him our best wishes for continued success.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. TURNER. Madam Speaker, on rollcall No. 595, had I been present, I would have voted "yea."

IN TRIBUTE TO OBIE V. BRANDON

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Ms. MATSUI. Madam Speaker, I rise today in tribute to Obie Brandon, a dear friend and community leader who passed away last week after a valiant fight against cancer. Obie was a prominent labor leader in the Sacramento Region, and his death leaves a great void in the fight for the rights of working families and the labor movement. As his family, friends, and labor brothers and sisters gather to honor and remember his wonderful life, I ask all my colleagues to join me in saluting one of Sacramento's most well-respected figures.

Obie was an admired advocate for the working class citizens and an unapologetic champion for the rights of the underserved and needy. Obie's roots in labor began early in his life with his first career beginning in 1962 as a flour miller for Pillsbury. After the plant closed, he continued his career with United Grocers until he was called for military service in Vietnam. After serving his country for two years in Vietnam, Obie returned to his position with United Grocers. He was a steadfast advocate of labor and continued his support of labor by becoming an active member of the International Longshoremen's Warehouse Union Local 17. He began as the Recording-Secretary for the ILWU Local 17 in 1970 and soon became the Local's President in 1973.

Obie was widely recognized as a tough negotiator and strong advocate for the rights of Union labor members. His ardent support for the labor movement soon caught the attention of Roy Mack of the United Food and Commercial Workers Local 498. Obie later joined Mack on the staff of the Local 498, where only eight months into his membership he was elected Secretary-Treasurer, a position he would hold from 1982 to 1990. Later, along with other labor leaders, Obie helped form the Coalition of Organized Labor Board, an organization of 24 local Unions representing some 150,000 members and committed to bringing Unions together to provide mutual support. He served until his passing as the group's Secretary-Treasurer.

Through his advocacy at the local and state levels, Obie became an important ambassador between labor Unions and Commercial Enterprises. In addition to his work with the UFCW, Obie served as Vice President of the Sacramento Central Labor Council, AFL–CIO. He was a passionate supporter of working class citizens and their rights through labor Unions, and his ardor and commitment to these issues resonated in his advocacy. Obie contributed to the growth and maturity of countless people and was a true champion of the labor movement.

Madam Speaker, as Obie Brandon's wife Kathy, his children Tera Clizbe and Eric Brandon, his three grandchildren, Cameron, Brandon and Taylor, and his friends gather to honor his wonderful legacy and countless contributions, I am honored to pay tribute to him. I ask all my colleagues to pause and join me in paying respect to an extraordinarily loving man, Obie Brandon.

INSTRUCTING MANAGERS IN THE IMPEACHMENT OF JUDGE KENT TO ADVISE THE SENATE THAT THE HOUSE DOES NOT DESIRE FURTHER TO URGE THE ARTICLES OF IMPEACHMENT

SPEECH OF

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. SCHIFF. Mr. Speaker, as Chairman of the House Judiciary Committee Task Force on Judicial Impeachment that was directed to inquire whether Judge Samuel B. Kent should be impeached, I rise to discuss the resolution before the House today and urge its adoption.

On June 19, 2009, the House of Representatives voted to impeach Samuel B. Kent, judge of the United States District Court for the Southern District of Texas, for high crimes and misdemeanors. Four Articles of Impeachment were agreed to without dissent.

On June 24, 2009, I was joined by the other House Managers in this matter in presenting the Articles of Impeachment to the United States Senate, whereupon proceedings were commenced. Later that day, Judge Kent was served with a summons by the Senate Sergeant at Arms, commanding an answer to the Articles of Impeachment. Upon being served, Judge Kent tendered his resignation to the President of the United States, effective June 30, 2009, which was accepted by the President.

On July 6, 2009, the managers on the part of the House advised the Senate, sitting as a court of impeachment in this proceeding, of the resignation and its acceptance, and further advised the Senate that the managers had determined to recommend to the House that the pending impeachment proceedings in the Senate be discontinued.

Given that Samuel B. Kent is no longer a civil officer of the United States, having ceased to be a judge, the managers on the part of the House of Representatives respectfully recommend that the impeachment proceedings pending in the Senate be discontinued.

The resolution before us today instructs the House Managers to return to the Senate, to inform the Senate that, in light of Samuel Kent's resignation, the House no longer seeks to urge the articles of impeachment in trial before the Senate. This will enable the Senate to dispense with the pending trial.

I wish to emphasize that, although the Senate trial has proved unnecessary, the House has fulfilled its purpose of seeking to remove from office a judge who had committed high crimes and misdemeanors rendering him unfit to continue serving.

I would like to thank all my House colleagues for helping bring this matter to a successful result—and particularly my colleague BOB GOODLATTE of Virginia, the Ranking Member of the Impeachment Task Force, for his leadership.

I urge the House to adopt this resolution.

EARMARK DECLARATION

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. STEARNS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I have received in the Commerce, Justice, State Appropriations Act, the Homeland Security Appropriations Act and the Energy and Water Appropriations Act.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: H.R. 2847

Account: Department of Justice, OJP—Byrne Discretionary Grants

Legal Name of Requesting Entity: Alachua County, FL

Address of Requesting Entity: 12 South East 1st Street, Gainesville, FL 32601

Description of Request: I have secured $900,000 for Alachua County, FL. Alachua County will use the funds to provide an integrated, coordinated continuum of care using evidenced-based practices where there will be ''no wrong door'' to enter treatment. Persons will be assessed and provided with a level of treatment consistent with individual need. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: H.R. 2847

Account: Department of Justice, OJP—Juvenile Justice

Legal Name of Requesting Entity: Devereux Kids Florida

Address of Requesting Entity: 1629 NW 4th Street, Suite 102, Ocala, FL 34475

Description of Request: I have secured $200,000 for Devereux Kids Florida. The funding will be used by Devereux Kids Florida to provide support services and interdiction on behalf of children has been delegated to regional coordinating bodies and local community-based organizations. Devereux Kids has developed a successful model of providing information, family services and reunification services which currently serves 10 counties. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: H.R. 2847

Account: Department of Justice, OJP—Juvenile Justice

Legal Name of Requesting Entity: ARISE Foundation

Address of Requesting Entity: 824 US Highway 1, Suite 240, North Palm Beach, FL 33408

Description of Request: I have secured $550,000 for the ARISE Foundation. The funding will be used by the ARISE Foundation to provide Florida Juvenile Justice Staff on a state-wide basis with in depth training and specialized ARISE Life Management Skills lessons to conduct guided group discussions with incarcerated high-risk youth. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: H.R. 2892

Account: FEMA

Legal Name of Requesting Entity: Lake County, FL

Address of Requesting Entity: 315 West Main Street, Tavares, FL 32778

Description of Request: I have secured $800,000 for Lake County, FL. The funding will be used by Lake County, FL to provide a desperately needed full-time dedicated Emergency Operations Center for Lake County, FL. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: H.R. 3183

Account: Corp of Engineers—Construction

Legal Name of Requesting Entity: The Jacksonville Port Authority

Address of Requesting Entity: 2831 Talleyrand Avenue, Jacksonville, FL 32206

Description of Request: I have secured $1,000,000 for the Jacksonville Port Authority. The funding will be used by the Jacksonville Port Authority for continuing construction for dredging improvements due to both safety and economic risks posed by the narrowness of the channel, as recommended by the Army Corps of Engineers. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: H.R. 3183

Account: DOE—EERE

Legal Name of Requesting Entity: Central Florida Community College

Address of Requesting Entity: Post Office Box 1388, Ocala, FL 34478

Description of Request: I have secured $300,000 for Central Florida Community College. The funding will be used by Central Florida Community College to purchase and install equipment to reduce energy losses, use energy more efficiently, and capture energy from natural sunlight. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: H.R. 3183

Account: DOE—Electricity Delivery and Energy Reliability

Legal Name of Requesting Entity: Florida Institute for Human and Machine Cognition

Address of Requesting Entity: 15 Southeast Osceola Avenue, Ocala, FL 34471

Description of Request: I have secured $750,000 for the Florida Institute for Human and Machine Cognition. The funding will be used by the Florida Institute for Human and Machine Cognition to build upon proven, biologically-inspired technology to create a system-centric defense infrastructure for SCADA systems that will greatly improve their intrinsic resilience to environmental effects and malicious attacks. I certify that neither I nor my spouse has any financial interest in this project.

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. WITTMAN. Madam Speaker, I missed the following rollcall votes on July 20, 2009

because I was unavoidably detained while traveling in the district. Had I been present, I would have voted ''nay'' on rollcall vote 593 (motion to approve the Journal) and ''aye'' on rollcall votes 594 (a motion to suspend the rules and agree to H. Res. 607) and 595 (a motion to suspend the rules and agree to H.R. 2245).

EARMARK DECLARATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to the House Republican standards on congressionally-directed funding, I am submitting the following information regarding funding included in H.R. 3170—Financial Services and General Government Appropriations Act, 2010

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3170

Account: ONDCP

Legal Name of Recipient: National Alliance for Model State Drug Laws

Address of Recipient: 1414 Prince Street, Alexandria, VA 22314

Description of Request: As also requested by the President, provides $1,250,000 in directed funding to assist states with their efforts to address diversion of, abuse of, misuse of, and addiction to prescription drugs. The National Alliance for Model State Drug Laws (NAMSDL) is a non-profit organization that serves as a resource for governors, state legislators, drug and alcohol professionals, community leaders, and others striving for comprehensive and effective state drug and alcohol laws, policies and programs. NAMSDL's national network of drug and alcohol experts researches and analyzes model drug and alcohol laws, and facilitates working relationships among state and community leaders and drug and alcohol professionals. The proliferation of addictive pain-relief prescription drugs in Kentucky and across the country necessitates continued funding of NAMSDL programs.

PREVENTIVE MENTAL HEALTH AND SUBSTANCE ABUSE SCREENING

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. KENNEDY. Madam Speaker, as we continue to craft a meaningful, necessary reform of our health care system, we must continue to embrace prevention, the provision of whole-body care, and the reversal of the current ''sick-care'' system. With this in mind, I respectfully ask you to ensure that screening for mental health and substance abuse is included as one of the preventative services proposed by the America's Affordable Health Choices Act of 2009.

The pervasiveness of mental illness and substance abuse in our society continues to be disconcerting. In 2007, over 20 million individuals were diagnosed with substance dependence or abuse. However, less than 10 percent received treatment for their disorders. By some estimates, the societal health and economic costs of alcohol and drug abuse are estimated at $366 billion per year. Conversely, screening has an estimated net savings of $294 per person offered screening.

Extensive data documents that drug and alcohol addiction treatment is as effective as treatment for other chronic medical conditions such as cancer, diabetes, and heart disease. Substance addiction, like cancer, diabetes, and heart disease, is a preventable and treatable chronic disease. Likewise, mental illnesses are among the most expensive and disabling chronic diseases. Severe mental illnesses are estimated to cost the U.S. $193 billion in lost wages in 2002. The World Health Organization has pronounced mental health disorders to be the leading cause of disability in the U.S. based on burden of disease. Moreover, mental illnesses often accompany and greatly increase the cost of treating other chronic conditions. Tragically, individuals with serious mental illness have a life expectancy of 25 years less than general population.

Currently, mental health and substance abuse screening tools, such as Screening, Brief Intervention and Referral to Treatment (SBIRT or SBI), are being used effectively in many academic centers, hospitals, trauma centers and community health settings across the country. A cost assessment conducted of SBIRT in Washington State demonstrated a cost savings for the State of $2 million in Medicaid costs for just 1,000 patients. SBIRT is already effectively being used by the Federal Employees Health Benefits Program, and the Center for Medicare Services has also allocated approximately $300 million for states specifically for reimbursement of SBIRT. I look forward to continuing to work with my colleagues to ensure that this life-saving preventative strategy is included in the America's Affordable Health Choices Act of 2009.

INTRODUCING AG TRUCK WEIGHTS LEGISLATION

HON. BETSY MARKEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Ms. MARKEY of Colorado. Madam Speaker, today I am proud to introduce, on behalf of myself and my colleague ADRIAN SMITH of Nebraska, the House companion bill to S. 639—bill to help farmers and ranchers transport their commodities more easily.

Being a member of both the Agriculture and the Transportation Committees, I understand how critical it is that both sectors be able to work together to facilitate the movement of commodities. Representing a largely agricultural district, I know the struggles farmers go through to transport their crops, especially in this time of ever fluctuating gas prices. We need to be doing what we can to relieve farmers of unnecessary transportation rules and regulations when they follow safe and responsible procedures.

When a farmer drives goods of over 10,001 pounds across state lines, they becomes subject to the rules and regulations of commercial motor vehicles. Within their own State, the farmer is not violating any laws; however, once they become an ''interstate carrier'' the farmer is then responsible for all of the requirements of an operator of a commercial motor vehicle. These requirements include having a commercial driver's license, Department of Transportation certification on the vehicle, being subject to drug and alcohol testing in addition to having a medical examination certificate, and recording hours of service. For those farmers who are occasionally transporting their goods across state lines and are not driving trucks for a living, these requirements are an unnecessary burden. These costly regulations are taking an unfair toll on farmers and this legislation will correct that. This legislation would exempt farmers from the 10,001 pound definition of a Commercial Motor Vehicle when traveling between States and will reduce undue burdens on farmers.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2010

SPEECH OF

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes:

Mrs. BACHMANN. Mr. Chair, last week the House voted on legislation, H.R. 3170, the Financial Services and General Government Appropriations Act of 2010, which included an important provision to reinstate the economic rights of auto dealers whose franchise agreements were recently terminated by GM and Chrysler. Along with 242 of my colleagues, I am a cosponsor of two pieces of legislation that are similar to that provision: H.R. 2743 and H.R. 2796, both known as the Automobile Dealer Economic Rights Restoration Act of 2009.

Unfortunately, I was unable to support the overall appropriations bill, H.R. 3170, due to concerns entirely unrelated to the auto dealer provision. For instance, I am concerned that the bill allows for publicly funded abortions in Washington, DC. For years, there has been a prohibition on taxpayer-funded abortions in the District of Columbia—a ban which restricted the use of both federal and local tax dollars for abortions. However, this bill makes taxpayer funded abortion quite possible.

The legislation also eliminates the DC Opportunity Scholarship Program, a school voucher program which has successfully improved the DC public school system since its inception. Under the bill, no new students will receive funding for this program, which aids low-income children by giving them scholarships of up to $7,500 to attend nonpublic schools in Washington, DC. The bill also removes the current ban on legalizing medical marijuana in DC.

I strongly believe that the franchise rights of hundreds of dealers across the nation were wrongfully violated throughout the course of the automakers' restructuring, and I believe that the heavy hand of government which

clearly influenced the proceedings had a lot to do with that. I continue to call upon Congressional leadership to bring H.R. 2743 or H.R. 2796 to the floor for an up-or-down vote on their own merits. It should not be tucked into unrelated legislation, from which it can be plucked in conference committee. This is a serious issue and it requires our full attention.

RECOGNIZING 40TH ANNIVERSARY OF THE FOOD AND NUTRITION SERVICE

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. BACA. Mr. Speaker, I rise today in strong support of H. Con. Res. 164, a resolution recognizing the 40th anniversary of the Food and Nutrition Services (FNS) at the U.S. Department of Agriculture.

I'd like to thank my colleague, Rep. JIM MCGOVERN, for introducing this resolution; and for his commitment to ending hunger in America.

As Chairman of the House Agriculture Subcommittee on Nutrition, I am proud to stand today in support of the mission of the FNS—to provide access to nutrious foods to needy American families.

Since 1969, the FNS has been promoting sound nutrition and working to end hunger in America.

Every day, 36 million Americans are given access to healthy foods they may otherwise not be able to afford if not for the good work done by so many individuals at the FNS.

I am proud of the numerous improvements we made to federal nutrition programs in the 2008 farm bill.

This includes a $10 billion increase in funding that puts food on the table for more veterans, elderly, disabled, and needy American families.

But none of these funding improvements would have made a difference if it wasn't for the great work of the FNS and its dedicated staff members stationed across the United States.

In today's terrible economic climate—the mission of the FNS, to prevent hunger in America, is more important than ever.

I urge my colleagues to express their support for the great work of the dedicated Americans at the FNS, and vote in favor of H. Con. Res. 164.

HONORING COMMAND SERGEANT MAJOR NEIL RUSSELL FOR 38 YEARS OF SERVICE

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. GINGREY of Georgia. Madam Speaker, I rise today to honor a fellow Georgian, Command Sergeant Major (CSM) Neil Russell, on his retirement after more than 38 years of service in the Georgia Army National Guard. CSM Russell's dedication to duty and service throughout his career has led to numerous accomplishments that he will undoubtedly carry with him forever as he moves into the next phase of his life.

CSM Russell began his military career with the Georgia Army National Guard when he graduated high school in 1971, and he has been humbly serving our nation in this capacity ever since. His military education includes the Fire Direction Computer Course, the Equal Opportunity and Race Relations Course, the NCOES Advance and Senior Courses, the Battle Skills Course, the U.S. Army Sergeants Major Academy Course, the U.S. Army Command Sergeants Major Designee Course, and the Bradley Infantry Crewman Course at numerous military installations across the country. These experiences laid the course for an illustrious career for CSM Russell. He also holds an Associates Degree in Science from Brunswick Junior College and a Bachelor of Science from Excelsior College in Albany, NY.

CSM Russell served in the 118th Field Artillery Brigade in Savannah, GA as a Fire Direction Specialist and Operations NCO until August of 1981, when he was assigned to the Service Battery 2nd Battalion, 214th Field Artillery as the Battalion Supply Sergeant. In May of 1985, he was transferred back to the 118th Field Artillery Brigade. He remained there until September of 1992 when he was transferred to the 1st Battalion, 118th Field Artillery Battalion as the Battalion Operations NCO, and in May of 1999 he was selected and transferred to the 122nd Rear Operations Center (ROC) as the unit Operations Sergeant Major. Finally, in May of 2005, CSM Russell was selected and reassigned as the JFHQ Command Sergeant Major for the Georgia Army National Guard, and he has honorably served in this capacity until his retirement.

CSM Russell trained at the National Training Center in Ft. Irwin, CA with the 1st Battalion, 118th Field Artillery in 1996 and has participated in numerous OCONUS exercises while serving in the 122nd ROC. In November of 2000, he mobilized with the 122nd ROC in support of Operation Enduring Freedom. The 122nd ROC became the basis around which a task force was created to establish, coordinate, and manage the civil affairs mission in Afghanistan. In January of 2002, CSM Russell deployed with the task force to Kabul, Afghanistan, and he functioned as the Task Force Command Sergeant Major until June of 2002, when he re-deployed. This task force was awarded the Joint Meritorious Unit Award for exceptional achievement for the period between November of 2001 and July of 2002.

Throughout his illustrious career, CSM Russell has been presented the Georgia State Active Duty Ribbon, the Georgia Commendation Medal, the National Defense Service Medal with Service Star, the Army Reserve Component Achievement Medal, the Armed Forces Reserve Medal, the Army Service Ribbon, the NCO Professional Development Ribbon, the Army Reserve Component Overseas Training Ribbon, the Humanitarian Service Medal, the Joint Services Achievement Medal, the Army Achievement Medal, the Armed Forces Expeditionary Medal, the Army Commendation Medal, the Meritorious Service Medal, and the Bronze Star Medal. Each one of these medals and ribbons signify the admirable service that CSM Russell has graciously displayed in his career in the Georgia Army National Guard.

CSM Russell has made a lasting contribution to the capability of today's United States Army National Guard. His superior performance of duties highlights the culmination of more than 37 years of honorable and dedicated Army National Guard service. My home state of Georgia and our nation are proud of CSM Russell's exemplary professional competence, sound judgment, and total dedication to duty. He has reflected great credit upon himself and has always upheld the highest traditions of the Army National Guard. I wish Neil and his family all the best in their future endeavors as he enters into a well-deserved retirement after such a distinguished career of service.

PERSONAL EXPLANATION

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mrs. MCCARTHY of New York. Madam Speaker, I am having back surgery, which will require me to miss votes the last two weeks of July. I will be returning, stronger and better than ever, to do my work for the 4th Congressional District of NY when Congress reconvenes in September.

Yesterday, I missed two votes. Had I been present I would have voted.

Rollcall No. 593, on Approving the Journal, I would have voted "yea."

Rollcall No. 594, on the Motion to Suspend the Rules and Agree to H. Res. 607, I would have voted "yea."

Rollcall No. 595, on the Motion to Suspend the Rules and Pass H.R. 2245, I would have voted "yea."

THE LIBERAL SLIDE

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. STEARNS. Madam Speaker, as the polls show disapproval for the Democrat health care up to 44 percent and now more than 43 percent of Americans now see the Obama Democrats as the old-style, tax and spend liberals. The President is starting to take note.

He has delayed the White House release of its mid-year budget review. The administration officials have rescheduled its release to conceal record-breaking deficits. At the same time, the Democrat leaders rush to take over healthcare and they continue to push cap and tax legislation.

Both of these bills will push spending out of control.

The Democrats won't even listen to the CBO Director Elmendorf who said their healthcare bill won't save money but will add to the deficit.

Madam Speaker, the Democrats need to work in a bipartisan way to gain control of our spending to create jobs for the American people.

RECOGNIZING BUREAU OF LABOR STATISTICS

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mrs. MALONEY. Mr. Speaker, I rise today to mark the 125th Anniversary of the Bureau of Labor Statistics.

I have the privilege of serving as the Chair of the Joint Economic Committee, a committee that has a unique relationship with the BLS. The JEC was established by the Employment Act of 1946 to study matters relating to the US economy, so we are indeed a much younger sibling to the Bureau.

For roughly six decades, the Commissioner of the BLS has testified before the JEC in hearings examining the monthly Employment Situation. As Chair, I have welcomed Commissioner Keith Hall and his colleagues to the committee this year as we have closely tracked labor market conditions in the current recession.

The BLS staff is a dedicated group of public servants who themselves do important work for our nation. The numbers they provide represent real people and the trends they report on provide valuable insights into the economic well-being of families across the country.

I look forward to the first Friday of the month to arrive when the Employment Situation shows our economy has stopped shedding jobs and that more Americans are going back to work.

Policy makers from both sides of the aisle rely on the high quality, timely and non-partisan data produced by the BLS to make informed decisions that affect the millions of Americans around the country.

Too often, lawmakers fail to recognize that the data produced by BLS and other agencies are crucial to making meaningful, effective policy. But it is for that reason that I have worked to preserve funding for vital statistical programs at the BLS, like the American Time Use Survey—our most extensive source of data on how Americans are balancing all demands on their time, from work, to child care, to recreational activities.

The JEC has fought for and will continue to fight for the funding that BLS needs to maintain its international reputation for quality data that keeps pace with our always-evolving economy. We could not fulfill our mission in Congress without the hard work of the BLS.

I want to thank JEC Vice Chair SCHUMER, Senate Ranking Member BROWNBACK, and House Ranking Member KEVIN BRADY for joining me in this bipartisan concurrent resolution, I hope all of my colleagues will join us in congratulating the Bureau of Labor Statistics on a job very well done for the last 125 years.

EARMARK DECLARATION

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. LEWIS of California. Madam Speaker, pursuant to Republican earmark guidance, I am submitting the following in regards to the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman JERRY LEWIS

Project Name: University of California, Riverside School of Medicine

Account: HRSA Health Facilities and Services

Legal Name of Requesting Entity: University of California, Riverside

Address of Requesting Entity: 900 University Avenue Riverside, CA

Amount: $3.4 million

Description of Request: The funds will be used for renovation of an anatomy lab and a biomedical sciences building that will become part of the planned School of Medicine at the University of California, Riverside. The new School of Medicine will address the severe physician shortage in Inland Southern California, one of the most rapidly growing regions in the country. With the regional physician shortfall is forecast to be high as 53 percent by 2015, the Inland Empire faces a health care challenge of crisis proportions. The regional focus of the medical school's research and clinical enterprises will help mitigate that crisis and will improve health care for the many low- and moderate-income residents of Riverside and San Bernardino counties. The results will be a model that can be applied in areas throughout the nation.

Requesting Member: Congressman JERRY LEWIS

Project Name: Salvation Army of San Bernardino Family Services Program

Account: Administration for Children and Families—Social Services

Legal Name of Requesting Entity: Salvation Army of San Bernardino

Address of Requesting Entity: 746 W. 5th Street San Bernardino, CA

Amount: $160,000

Description of Request: The funds will help the Salvation Army Family Services program provide a full spectrum of community services designed to assist families that struggle with difficult challenges. The funds will also support emergency shelter services to families in crisis. The program serves families throughout the Inland Empire, which has one of the highest foreclosure and unemployment rates in the nation. The economic situation is causing increased demand for these services, at the same time that donations and State funding have declined creating a dire situation for providing services.

Requesting Member: Congressman JERRY LEWIS

Project Name: San Gorgonio Hospital Computed Radiography

Account: HRSA—Health Facilities and Services

Legal Name of Requesting Entity: San Gorgonio Memorial Hospital

Address of Requesting Entity: 600 N Highland Springs Ave, Banning, CA

Amount: $340,000

Description of Request: The funds would help purchase a Computed Radiography system to replace x-ray film and create a digital image. San Gorgonio Memorial Hospital is a not-for-profit community hospital that is serving a rapidly growing area of Riverside County. As Riverside County struggles with high unemployment and foreclosure rates, the hospital is providing more unreimbursed medical care, making it difficult to meet payroll and impossible to purchase any new equipment. Computed Radiography is the standard of care in diagnostic imaging and has been show to greatly increase patient safety.

Requesting Member: Congressman JERRY LEWIS

Project Name: Redlands Community Hospital PET/CT Scanner

Account: HRSA—Health Facilities and Services

Legal Name of Requesting Entity: Redlands Community Hospital

Address of Requesting Entity: 350 Terracina Boulevard, Redlands, CA

Amount: $500,000

Description of Request: The requested funds would help support the purchase of combination Positron Emission Tomography, PET, "64 slice" scanner/Computed Tomography, CT, machine. Currently RCH rents a PET scanner 3 days a week to accommodate patient demand. Redlands Community Hospital is one of a handful of remaining independent nonprofit hospitals in Southern California, and provides annually over $8 million in charity care to the community. The equipment will help insure access to diagnostic services in the face of rapidly increasing levels of demand.

Requesting Member: Congressman JERRY LEWIS

Project Name: St. Bernardine Medical Center Endovascular Suite

Account: HRSA—Health Facilities and Services

Legal Name of Requesting Entity: St. Bernardine Medical Center

Address of Requesting Entity: 2101 North Waterman Ave San Bernardino, CA

Amount: $500,000

Description of Request: The funds requested will help the hospital renovate space and equip an Endovascular Surgical Suite, which is a specialized surgical room capable of advanced imaging to view smaller, obscure vessels, which leads to minimally invasive surgical procedures. In 2008, the Medical Center performed over 800 vascular procedures and is ranked as one of the top ten by volume in heart diagnostic and interventional procedures within the state of California . St. Bernardine serves one of the fastest growing areas in the state and nation and is located in one of the most densely impoverished areas in Southern California. Current health care capacity and equipment cannot keep pace with the growing demand.

Requesting Member: Congressman JERRY LEWIS

Account: FIE

Project Name: We Care San Jacinto

Legal Name of Requesting Entity: We Care San Jacinto

Address of Requesting Entity: 300 West First Street, San Jacinto, CA 92583

Amount: $100,000

Description of Request: Funds for this project will go toward continuing a program that provides tutoring, homework assistance and after-school classes for low income families at no cost. In the City of San Jacinto, low-income elementary and high school students are faced with gang-related and drug activity in the local community every day. The We Care tutoring program has influenced those who might very well be inclined to drop out of school or not seek secondary education, and

is an important education program for our community.

Requesting Member: Congressman JERRY LEWIS

Account: IMLS

Project Name: Cabot's Pueblo Museum

Legal Name of Requesting Entity: City of Desert Hot Springs

Address of Requesting Entity: 65950 Pierson Boulevard, Desert Hot Springs, CA 92240

Amount: $100,000

Description of Request: Funds will be used for preserving artifacts and modern museum collection care at the Cabot's Pueblo museum. Cabot's Pueblo is a unique Hopi-inspired structure handmade by local resident Cabot Yerxa over 24 years. It includes 35 rooms, 150 windows and 65 doors, all crafted from found materials. The museum houses Cabot's collection of Native American pottery, early 20th century photographs and artifacts from his Alaskan adventures. The museum grounds, including a picnic area, are landscaped with native plants and home to many rustic period items—early 1900's tools, machinery and household goods. Project goals also include development of diverse learning programs that provide a greater opportunity for appreciation of regional and natural heritage.

Requesting Member: Congressman JERRY LEWIS

Account: IMLS

Project Name: Yucaipa Library

Legal Name of Requesting Entity: City of Yucaipa

Address of Requesting Entity: 34272 Yucaipa Boulevard, Yucaipa, CA 92399–9950

Amount: $100,000

Description of Request: In a time when residents are relying more on the city's public services, growth in the library usage calls for enhancement of materials and technology. Funds will be used to expand library collections and upgrade technology.

PERSONAL EXPLANATION

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. MANZULLO. Madam Speaker, on Monday, July 20, 2009, I was unable to return to Washington in time to vote because of flight delays at O'Hare International Airport. If I was here, I would have voted "no" on rollcall No. 593, "yea" on rollcall No. 594, and "yea" on rollcall No. 595.

HONORING DR. GRAY MULTER

HON. ERIC J.J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. MASSA. Madam Speaker, I rise today to honor a friend and scientist, Dr. Gray Multer. Gray was a marine geologist who dedicated his life to the study and preservation of marine ecosystems.

Born in Syracuse, New York, Gray earned his Bachelor's and Master's degrees from Syracuse University. After receiving his Ph.D. from Ohio State University, he was a Professor of Geology for 30 years, first at the College of Wooster and then at Fairleigh Dickinson University as the chair of its geology department.

During his life, Gray authored or co-authored over 70 scientific publications, as well as several books. In 2008, he was awarded an honorary membership from the International Society for Reef Studies for his distinguished research and service to society.

Gray was known for his warm demeanor and strength of character, always a teacher dedicated to instilling a love of learning in his students. He also volunteered with Habitat for Humanity in his spare time.

It is to Gray's life and work that I would like to dedicate my sponsorship of the Ocean Conservation, Education and National Strategy for the 21st Century Act, as well as the Tropical Forest and Coral Conservation Act.

As Gray recognized, the protection and restoration of marine ecosystems is tremendously important in order to halt their irreversible loss. In his memory, I hope that my support for these bills will benefit the ecology of our oceans and help preserve them for future generations.

HONORING CEDAR HILL CITY COUNCILMAN GREG PATTON

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. MARCHANT. Madam Speaker, I rise today to honor a remarkable public servant and friend of Cedar Hill, Greg Patton. Mr. Patton served on the Cedar Hill City Council from 2000 until 2009. Throughout his nine years on the council, Mr. Patton exemplified the true meaning of public service by always prioritizing the needs of others first. With his retirement from the council, Mr. Patton will be sorely missed but I am confident his presence will continue to shine in Cedar Hill.

In addition to his council duties, Mr. Patton served as a member and chair of the Southwest Dallas County Transportation Committee, served on the National League of Cities Steering Committee for Transportation and Infrastructure Services, and served as an active participant in the River of Trade Corridor Coalition.

Prior to his council tenure, Mr. Patton chaired the Joe Pool Lake Planning Council which resulted in the last lake built in North Texas and the creation of Lake Joe Pool State Park. During the same time, he also served as commissioner and then as chairman of the Cedar Hill Planning and Zoning Commission.

A familiar face in the Cedar Hill community, Mr. Patton is an active member of the Cedar Hill Church of Christ and a member of the Cedar Hill Lions Club. He is also a regular volunteer at the Cedar Hill Food Pantry and served for twenty years on the Cedar Hill Volunteer Fire Department from 1977 until 1997. Among his many other accomplishments, Mr. Patton was the chair of the 1975 City Charter Committee for Cedar Hill.

Mr. Patton's wife, Linda, and two children all deserve a special thank you for allowing him to spend so much time dedicated to the betterment of Cedar Hill. Mr. Patton also has one granddaughter and three grandsons.

Distinguished colleagues, please join me in honoring Greg Patton's tireless passion, proven commitment, and years of admirable service to the growth and success of Cedar Hill. I am proud to join the Cedar Hill community in saluting Greg for all of his hard work, and I wish him the best in the next chapter of his life.

HONORING HEIDI REITZ OF SARTELL, MINNESOTA AS AN ANGEL OF ADOPTION

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mrs. BACHMANN. Madam Speaker, I rise today to honor Heidi Reitz of Sartell, Minnesota, one of this year's Angels of Adoption. As you know, this prestigious award from the Congressional Coalition on Adoption Institute honors people who have given so much of themselves to help children and families find one another.

Even without this award, Heidi would deserve acknowledgment for her extraordinary work bettering the lives of orphans in China as Director of Programs for Love Without Boundaries. I am honored, as a foster mother myself, to make known her hard work to this Congress. Because of Heidi's volunteer efforts, more than 300 children are in loving homes.

The inspiration for her tireless dedication can be found in her own home. Her husband has helped Love Without Boundaries with cleft palate surgeries and two of her six beautiful children were adopted from China. As a volunteer, Heidi has arranged trips for two cleft-lip orphans and helped start a cleft healing home where children awaiting surgery to correct this difficult condition can be properly cared for. Heidi is working to make sure each of these special children are adopted into homes ready and prepared to care for them.

Madam Speaker, Heidi Reitz has done such a service for all of mankind through her tireless dedication to orphan children in China. As families from every country wait to be united with their adopted parents and children, Heidi is giving them every opportunity to complete their family. The Love Without Borders website uses the anonymous quote, "To the world, you might be one person . . . but to one person you might be the world." To the hundreds of children and families, Heidi is "the world" and an Angel in Adoption Award is just a small way we can show our appreciation for her efforts.

HONORING JUDY O'CONNOR

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. WU. Madam Speaker, I rise today to pay tribute to a woman who has dedicated 27 years to serving the labor community in Oregon.

Judy O'Connor joined the Northwest Oregon Labor Council as an office worker in 1982, and her skills and dedication to the union

movement quickly led to her promotion to office manager. She joined the Office and Professional Employees International Union Local 11 and was an energetic advocate for office secretaries as part of OPEIU's executive committee.

Though she had no experience with the labor movement prior to joining the Northwest Oregon Labor Council, Judy became a tireless activist for union causes. She volunteered for political campaigns, coordinated the council's Speakers in the Schools program, and appeared before the Oregon legislature to testify for improved job safety. She also graduated from Union Counselor course at Labor's Community Service Agency and served as chair of the IBEW and United Worker's Federal Credit Union.

In 1998, Judy was the first woman elected to the position of the Northwest Oregon Labor Council's executive secretary-treasurer, heading the largest central labor council in Oregon. During her tenure as executive secretary-treasurer, she has led over 100 constituent unions in promoting workers' rights through times of economic growth and decline.

Judy will be retiring in September and plans to return to Montana, where she was raised. Oregon will be losing an important voice for workers, but I hope that Judy is able to have some well-earned relaxation. I want to thank her for her service to the labor community here in Oregon and wish her and her family all the best.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. TURNER. Madam Speaker, on rollcall No. 594, had I been present, I would have voted "yea."

KOREAN WAR VETERANS RECOGNITION ACT

SPEECH OF

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in support of House Resolution 2632 which encourages the display of the American flag on July 27 honoring National Korean War Veterans Armistice Day.

I want to commend Mr. CHARLES RANGEL of New York for introducing this important resolution further promoting the national recognition of the veterans who fought valiantly in the Korean war. I would also like to recognize the cosponsors for their strong support of House Resolution 2632.

From June 25, 1950, to July 27, 1953, American troops were involved in heavy combat on the Korean peninsula against the invading forces of North Korea and the People's Republic of China. For 3 grueling years, our troops battled alone many other nations' troops in defending the peninsula from being enveloped wholly by communism.

Today, there are rougly 2.3 million veterans still alive today. These men have served our country at its time of greatest need and have protected our Nation's best interests. It is imperative that our Nation recognizes the service of these veterans and we must honor them with the raising of the American flag on July 27.

As a Vietnam war veteran myself, I personally appreciate the service of my fellow servicemen of the United States Armed Forces. I realize that the sponsor and my good friend Mr. CHARLES RANGEL is also a veteran of the Korean war. He courageously led troops behind enemy lines for 3 days instead of surrendering to the enemy. It is necessary that we honor and remember many of those who fought bravely alongside my good friend. It is important that my fellow veterans from the Korean war are given the utmost respect for their valor and courage.

I would like to once again, thank Mr. CHARLES RANGEL and the cosponsors for creating and supporting this piece of legislation honoring the veterans of the Korean war by raising the American flag on July 27. I strongly urge my colleagues to support this resolution.

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS ACT FOR FISCAL YEAR 2010

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. POE of Texas. Madam Speaker, as a former judge who has had the misfortune of observing the life-shattering effects of crimes of sexual violence on the victims as well as their friends and families, I rise today to highlight the importance of the National Sexual Assault Hotline programs in supporting the victims in their recovery from these terrible crimes. An estimated 1 in 6 women will become a victim of sexual assault or rape in her lifetime; and the FBI ranks rape as the second most violent crime (second only to murder, which is classified as the most violent crime).

According to the U.S. Department of Justice (DOJ), which conducts an annual crime survey of the nation's households, we have made some progress in the fight to end sexual and domestic violence over the last two decades. But statistics also suggest that we still have much work to do: at least 200,000 Americans are sexually assaulted each and every year, and only about 40 percent of rape victims ever come forward and report the attacks against them to the authorities, according to DOJ.

Research suggests that those who receive crisis intervention support and counseling services are more likely to cooperate with law enforcement in pressing charges against their attackers. That is why it is so important that we continue to support programs, such as the National Sexual Assault Hotline programs, which help ensure that rape victims (as well as their friends and family members) can receive the information and support services that are so vitally important in one's full recovery from an assault. The National Sexual Assault Hotline, accessible toll free around the clock at 800–656–HOPE, has helped more than 1.2 million callers since the Rape, Abuse & Incest National Network (RAINN) created the telephone hotline in 1994. RAINN continues to operate this telephone hotline today, in partnership with close to 1,100 affiliated rape crisis centers located in every state and the District of Columbia, as well as thousands of volunteers across the nation.

In 2006, RAINN also launched the National Sexual Assault Online Hotline, accessible at www.RAINN.org, which has helped close to 30,000 people since its inception. It is the first web-based hotline of its kind for rape victims, offering information and support to those who might be reluctant to pick up the telephone and dial for help. The online hotline, which RAINN created and operates with the assistance of staff at its headquarters in Washington, D.C. and volunteers located around the nation, is designed to reach additional populations (particularly teenagers, males, and even people living in rural, sparsely populated areas) who might not otherwise seek out necessary information and support.

Our colleagues in the Senate specifically recommended $300,000 for RAINN to carry out the National Sexual Assault Hotline programs, which are federally authorized under Section 628 of the Adam Walsh Child Protection and Safety Act, in fiscal year 2010. Appropriations leaders in this chamber, however, omitted to include a specific amount of funding for RAINN in the House version of the fiscal year 2010 Commerce, Justice, Science and Related Agencies Appropriations Act (H.R. 2847).

I will note, however, that the full House Appropriations Committee, during its consideration of H.R. 2847, did approve report language that is directed specifically at RAINN. This language, which is part of House Report 111–149, calls on the U.S. Department of Justice to continue supporting programs, including hotline programs, that facilitate the delivery of confidential recovery services to rape victims. The inclusion of this committee report language is significant, as it signals Congress' intention that victims of sexual violence should continue to be able to access the National Sexual Assault Hotline programs and the other programs that Congress has authorized RAINN to carry out, with the support of the Office of Justice Programs at the U.S. Department of Justice.

Madam Speaker, I want to thank the members of the Appropriations Committee for accepting this report language, at the request of myself, Congresswoman WASSERMAN SCHULTZ, and other members of this chamber. I also want to express my interest in continuing to work with the House and Senate leadership on a final version of the Commerce, Justice Appropriations Act that will ensure that RAINN receives the level of federal support that is necessary to continue operation of the National Sexual Assault Hotline programs in fiscal year 2010.

HONORING MARGARET SANGER

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mrs. LOWEY. Madam Speaker, I rise today to submit an article highlighting the life and work of Margaret Sanger authored by Dr. Ellen Chesler, distinguished lecturer at Hunter College of the City University of New York and Director of the Eleanor Roosevelt Initiative on Women and Public Policy.

Margaret Sanger, who lived from 1879 to 1966, was a nurse, educator, birth control pioneer, women's health activist, and founder of the American Birth Control League which eventually became Planned Parenthood.

Her commitment to improving the health and lives of women was a testament to her belief that all women are entitled to basic health care and the ability to plan their pregnancies, and ultimately control their own destiny.

Madam Speaker, I am proud to recognize Margaret Sanger for her tireless efforts on behalf of women and for fighting for those unable to fight for themselves.

MARGARET SANGER—SETTING THE RECORD STRAIGHT

(By Ellen Chesler)

Birth control pioneer Margaret Sanger went to jail in 1917 for distributing simple contraceptives to immigrant women from a makeshift clinic in a tenement storefront in the Brownsville section of Brooklyn, New York. When she died nearly fifty years later, the cause for which she defiantly broke the law had achieved international stature, and she was widely eulogized as one of the great emancipators of her time.

A visionary thinker, relentless agitator, and gifted organizer, Sanger lived just long enough to savour the historic 1965 US Supreme Court decision in Griswold v. Connecticut, which established privacy protections as a framework for legalizing basic reproductive rights. Elderly and frail, she watched Lyndon Johnson finally incorporate family planning into US public welfare and foreign policy programs. She saw the birth control pill developed and marketed by a team of doctors and scientists she had long encouraged and found the money to support. She saw a global family planning movement descend from her own international efforts.

The years since have not been as good to Sanger's reputation, even as they have witnessed measurable progress for women in achieving reproductive freedom. Today, outside of a small minority of countries in sub-Saharan Africa and in parts of the Muslim world that are now high-profile exceptions to the global norm, a typical woman bears no more than two children over the course of several years and spends another 30 to 40 years avoiding pregnancy. More than 60 million women around the world use oral contraception daily, a dramatic increase since organized interventions began. The right of women to plan their families remains at least for the time being enshrined in the US constitution and in international human rights law, where it is widely recognized as a necessary condition to improve women's status, and in turn to sustain democratic institutions, promote social and economic progress, and help sustain fragile environments.

Still, universal standards for women's human rights offer no sure cure for violations that persist with uncanny fortitude and often unimaginable cruelty in so many places around the world. Harsh fundamentalisms are resurgent in many countries, where women's bodies remain an arena of intense political conflict, as a perhaps predictable response to the social dislocations resulting from changing gender roles and to the larger assaults on traditional cultures from the many real and perceived injustices of modernization and globalization. Even back at home in the United States, decades of substantial progress by women have fuelled a fierce backlash.

Wih an intensity that few would have predicted in 1992 when Bill Clinton was elected as America's first pro-choice president, a powerful conservative minority has eroded abortion rights along with funding for family planning at home and abroad, while dollars have surged instead for abstinence programs known to be ineffective and often harmful. We have tolerated the impunity of daily campaigns of intimidation and outright violence against courageous providers of contraception and abortion, culminating most recently in the tragic assassination of Dr. George Tiller of Kansas. Planned Parenthood affiliates have been repeatedly targeted, and Sanger herself has become a collateral victim of this frenzy, her reputation savaged by opponents who deliberately misrepresent the history of birth control and circulate scurrilous, false accusations about her on the Internet.

A particularly harsh example of this campaign of distortion and outright misrepresentation came in response to recent Congressional testimony by U.S. Secretary of State Hillary Rodham Clinton. Secretary Clinton was chastised for her unwavering support of comprehensive sexual and reproductive health rights and services for women and for having accepted with pride the highest honour of the Planned Parenthood Federation of America, its Margaret Sanger Award, a prize bestowed in the past on some of this country's most distinguished supporters of reproductive justice, beginning with the Reverend Martin Luther King, Jr.

This statement is offered in response to false accusations about Margaret Sanger made on that occasion. It investigates Sanger's core beliefs and major contributions and reexamines, in the face of so much continued controversy, her unquestioning confidence in the power of medicine and science to shape human conduct and alleviate suffering, a confidence that fuelled her interest in trying to make birth control serve as a tool of both individual liberation and social betterment.

SANGER'S CONTRIBUTION AND LEGACY

Margaret Sanger's fundamental contribution was in claiming every woman's right to experience her sexuality freely and bear only the number of children she desires. Following in the footsteps of a first generation of educated women who had proudly forgone marriage in order to seek fulfilment outside the home, she offered birth control as a necessary condition to the resolution of a broader range of personal and professional satisfactions. The hardest challenge in introducing her to modern audiences, for whom this claim has become routine, is to explain how absolutely destabilizing it seemed in her own time.

Even with so much lingering animus toward changes in women's lives around the world, it is difficult to inhabit an era in our own history when sexuality was considered more an obligation of women than an experience from which to derive contentment, let along pleasure. It is hard to remember that well into Sanger's own time motherhood was accepted as a woman's principal purpose and primary role. It is even harder to fathom that American women just a century ago, were still largely denied identities or rights of their own, independent of those they enjoyed by virtue of their relationships with men, and that this principle was central to the enduring opposition they encountered in seeking access to full rights of inheritance and property, to suffrage, and most especially to birth control. This unyielding principle of male ''coverture'' defined women's legal identities even with respect to physical abuse in the family, which the U.S. Supreme Court condoned in 1910, denying damages to a wife injured by violent beatings on the grounds that to do so would undermine the peace of the household.

Re-examining this history in the context of the recent expansion of civil and human rights to incorporate women's rights underscored Sanger's originality as a feminist theorist who first demanded civil protection of women's claims to reproductive liberty and bodily integrity, in and outside of marriage. As a result of private arrangements and a healthy trade in condoms, douches, and various contraptions sold largely under the subterfuge of feminine hygiene, the country's birth rate began to decline long before she came on the scene. But it was she who invented ''birth control'' as a comfortable, popular term of speech, and in so doing gave the practice essential public and political currency. It was she who first recognised the far-reaching consequences of bringing sexuality and contraception out in the open and claiming them as fundamental women's rights. She won legal protection for birth control, and by winning scientific validation for specific contraceptive practices, she also helped lift the religious shroud that had long encased reproduction in myth and mystery, thereby securing medical and social science institutions—as much as houses of worship—as arbiters of sexual behaviours and values. And from this accomplishment, which many still consider heretical, a continuing controversy has ensued.

When Sanger opened her clinic and deliberately staged an arrest in 1916, she challenged anachronistic obscenity laws that remained on the books as the legacy of the notorious anti-vice crusader, Anthony Comstock, whose evangelical fervour had captured late 19th century Victorian politics and led to the adoption by the states and federal government of broad criminal sanctions on sexual speech and commerce, including all materials related to contraception and abortion. Her critique, however, was not just of legal constraints on obscenity, but also of legal constraints on women's place. In this respect, she also helped inaugurate a modern women's rights movement that moves beyond traditional civil and political claims of liberty to embrace social and cultural ones. She understood that to advance women's rights it is necessary to address—and the state has an obligation to protect—personal as well as public spheres of conduct. It must establish broad safeguards for women and intervene to eliminate everyday forms of discrimination and abuse.

FROM THE PAST TO THE PRESENT

Observing the contorted politics of sexuality in recent years only reinforces one's sympathy for Margaret Sanger's predicament as a wildly polarizing figure in her own day and clarifies the logic of her decision after World War I to mainstream her movement by identifying reproductive freedom, not just as a woman's right, but also as a necessary foundation for broader improvements in public health and social welfare. Her decision to adopt the socially resonant content of ''family planning'' over birth control, when the Great Depression encouraged attention to collective needs over individual ones and when the New Deal created a blueprint for bold public endeavours, was particularly inventive, and in no way cynical. Nor as some of her harshest critics have since have charged, did she ever define family planning as right of the privileged, but as a duty or obligation of the poor, any more than we do so today when we call for increased public expenditure on it as a matter of simple justice.

To the contrary, Sanger showed considerable foresight in lobbying for voluntary family planning programs to be included among the benefits of any sound public investment in social security. Had the New Deal included public health and access to contraception in its social welfare package, as most

European countries were then doing, protracted conflicts over welfare and healthcare policy in the years since in the United States might well have been avoided. Where she went wrong was only in failing to anticipate the force of the opposition her proposal would generate from a coalition of religious conservatives of her own day, including urban Catholics and rural fundamentalist Protestants to whom Roosevelt Democrats became captive, much as Republicans have become in recent years.

What is a good deal harder to deconstruct and understand is Sanger's engagement with eugenics during these years, the then still widely respectable and popular intellectual movement that addressed the manner in which biology and heredity affect human intelligence and ability. Like many well-intentioned secularists and social reformers of her day, Sanger took away from Charles Darwin the essentially optimistic lesson that men and women's common descent in the animal kingdom makes us all capable of improvement, if only we apply the right tools. Eugenics, in the view of most prominent progressive thinkers of this era, from university presidents, to physicians and scientists, to public officials, held the promise that merit would replace birthright and social status as the standard for mobility in a democratic society.

In this respect, the most enduring bequest of eugenics is standard IQ testing. Its most damning and unfathomable legacy is a series of state laws upheld by a 9 to 1 progressive majority of the U.S. Supreme Court in 1929, including Justices Oliver Wendell Holmes and Louis Brandeis, who in the landmark decision of Buck v. Bell authorised the compulsory sterilisation of a poor young white woman with an illegitimate child, on grounds of feeble-mindedness that were never clearly established. This decision, incidentally, was also endorsed by civil libertarians such as Roger Baldwin and civil rights advocates, including W.E.B. Dubois of the NAACP, both of whom Sanger counted among her supporters and friends.

For Sanger eugenics was meant to begin with the voluntary use of birth control, but many conservative eugenicists of the day actually opposed the practice on the grounds that the fit should procreate. Sanger countered by disdaining what she called a 'cradle competition' of class, race or ethnicity. She publicly opposed immigration restrictions which grew out of conservative interpretations of a eugenics that reinforced racial and ethnic stereotypes she opposed. She framed poverty as a matter of differential access to resources, including birth control, not as the immutable consequence of low inherent ability or poor character, a view some conservative eugenicists embraced. She argued for broad government safety nets for social welfare and public health, including access to safe and reliable contraception. And she proudly marshalled clinical data to demonstrate that most women, even among the poorest and least educated populations, embraced and eagerly used birth control voluntarily, when it was provided them.

At the same time, however, Sanger did on occasion engage in shrill rhetoric about the growing burden of large families among individuals of low intelligence and defective heredity. Her language had no intended racial, ethnic, or class content. She argued that all women, no matter where they are situated, should be encouraged to bear fewer, healthier children, but her words have since been lifted out of context and tragically misquoted to provoke exactly the kind of intolerance she opposed. Moreover, in endorsing the Supreme Court's decision about compulsory sterilization, and also on several occasions the payment of pensions or bonuses to women of low intelligence who would with this inducement agree to the procedure, Sanger quite clearly failed to consider the fundamental rights questions raised by such practices or the validity of the aptitude assessments on which determinations of low intelligence were based. Living in an era indifferent to the firm obligation to respect and protect the rights of individuals whose behaviours do not always conform to prevailing mores, she did not always fulfil it.

The challenge for historians has been to reconcile these apparent contradictions in her views. Sanger was actually an unusually advanced thinker on race for her day, one who condemned discrimination and encouraged reconciliation between blacks and whites. She opened an integrated clinic in Harlem in the early 1930s and then facilitated birth control and maternal health programs for rural black women in the south, when local white health officials denied them access to the New Deal's first federally funded services . . . She worked on this project with the behind the scenes support of Eleanor Roosevelt, whose progressive views on race were well known but whose support for birth control was silenced by her husband's Catholic political handlers, at least until he was safely ensconced in the White House for a third term. Historically specific circumstances of this complexity, however, are hard to untangle and convey, and this in large part explains why Sanger's legacy has been so easily distorted by contemporary abortion opponents who believe they can advance their own ideological and political agendas by undermining her motives and her character.

America's intensely complicated politics of reproduction has long ensnarled Margaret Sanger and all others who have tried to discipline it. Birth control has fundamentally altered private and public life over the past century. No other issue has for so long captivated our attention or polarized our thinking. As the psychologist Erik Erikson once provocatively suggested, no idea of modern times, save perhaps for arms control, more directly challenges human destiny, which alone may account for the profound social conflict it tends to inspire.

As many scholars of the subject in recent years have also observed, much of the controversy around birth control proceeds as well from the plain fact that reproduction is by its very nature experienced individually and socially at the same time. In claiming women's fundamental right to control their own bodies, Sanger always remained mindful of the dense fabric of cultural, political, and economic relationships in which those rights are exercised. And almost, if obviously not always, the policies she advocated were intended to facilitate the necessary obligation of public policy to balance individual rights of self-expression with the sometimes contrary social and political obligation to promulgate and enforce common mores, rule, and laws.

That Margaret Sanger failed to get this balance quite right in one important respect is certainly worthy of respectful disagreement and commentary, but it is no reason to poison her reputation or to abandon the noble cause of reproductive freedom to which she so courageously and indefatigably dedicated her life.

EARMARK DECLARATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. REICHERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Fiscal Year 2010 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

(1) $750,000 for the M Street SE Grade Separation Project Requesting Entity: City of Auburn, 25 West Main Street, Auburn, WA 98001

Agency: Federal Highway Administration

Account: Surface Transportation Priorities

Funding Requested by: Rep. DAVE REICHERT

Project Summary: This request will allow the City to complete right of way acquisition. Once completed, the grade separation will provide indirect economic benefits to the regional Ports of Seattle and Tacoma, and the BNSF railroad; it will also allow continued growth and increased economic impact, which will proportionally increase the number of jobs in the region.

FINANCE PLAN:

Funding Source	Tracking (million)	Anticipated (million)	Secured (million)
City of Auburn			2.2
FY08 Appropriations			0.12
City of Auburn—PWTF	$2.00		
2010 Appropriations	4.60		
FMSIB—State Funds			6.00
City of Auburn		$1.20	
BNSF		1.10	
Ports		1.50	
TIB	2.00		
Federal STP Grant	1.70		
Total	10.3	3.8	8.3

Funding Need per Phase:

Phase	Dates	Projected cost (million)
Design and Environmental	10/8 to 1/10	$2.4
Right-of-Way Acquisition	2/10 to 2/11	4.6
Construction	5/11 to 10/12	15.4
Total		22.4 million

(2) $360,000 for the SE King County Commuter Rail and Transit Centers Feasibility Study

Requesting Entity: City of Covington, 16720 SE 271st St., Suite 100, Covington, WA 98042, and

City of Maple Valley, 22035 SE Wax Road, Maple Valley, WA 98038

Agency: Federal Transit Administration

Account: Alternatives Analysis

Funding Requested by: Rep. DAVE REICHERT

Project Summary: This project is a feasibility study for bringing commuter rail to one of the fastest growing areas in Southeast King County, Washington. A five-city coalition has formed to study the feasibility of utilizing existing infrastructure to handle the expected traffic growth, and to explore whether small commuter trains could run between Maple Valley-Covington-Auburn on the Burlington Northern Stampede Pass Line. Arriving in Auburn, commuters could connect with the Sounder trains and Metro bus service into Kent, Seattle, and Bellevue. The feasibility study will examine the

capital and operating costs of such a service, design a business model, and examine ridership demand.

FINANCIAL PLAN

The funding source is the FY10 Appropriations request, as this public entity can only fund the feasibility study at this time with federal support. Depending upon the amount of funding received, the cities involved will seek submittals of qualifications from consultants experienced in multi-modal (particularly rail), inter-city transportation alternatives.

(3) $150,000 for the Boys and Girls Clubs of Bellevue, Bellevue Community Center renovations

Requesting Entity: Boys and Girls Clubs of Bellevue, 209 100th Avenue NE, Bellevue, WA 98004

Agency: Housing and Urban Development (HUD)

Account: Economic Development Initiatives (EDI)

Funding Requested by: Rep. DAVE REICHERT

Project Summary:

This project will enable the Bellevue Boys and Girls Club to serve more children in three targeted low-income communities in Bellevue. Adding to the size, utility, and safety of these sites will not only increase the educational and recreational opportunities of youth living in these communities, but will also allow adults access to basic education, employment training and language skills that lead to increased self-sufficiency, self-esteem and economic wellbeing. Existing community facilities have been used extensively, are outdated, and simply too small to accommodate the growing number of youth that want to use the facilities at each site.

BELLEVUE COMMUNITY CENTER UPGRADE PROJECT FINANCE PLAN

Hidden Village Cost Estimate		
Building Renovation	$171,000	
Site work	17,100	
Demo for Addition	7,500	
Subtotal	195,600	
Permits	3,912	
Contractor G.C.	29,340	
Total	228,852	
Eastside Terrace Cost Estimate		
Building Renovation	192,500	
Site work	19,250	
Demo for Addition	7,500	
Subtotal	219,250	
Permits	4,385	
Contractor G.C.	32,888	
Total	256,523	
Spirit wood Manor Cost Estimate		
Building Renovation	284,000	
Site work	28,400	
Demo for Addition	7,500	
Subtotal	319,900	
Permits	6,398	
Contractor G.C.	47,985	
Total	374,283	
Total Community Center Upgrade Project Cost	859,658	
Requested EDI	750,000	87%

BELLEVUE COMMUNITY CENTER UPGRADE PROJECT FINANCE PLAN—Continued

King County Housing Authority Matching Funds	109,658	13%
Total	859,658	

(4) $250,000 for the City of Snoqualmie Historic Downtown Main Street infrastructure improvements

Requesting Entity: City of Snoqualmie, P.O. Box 987, Snoqualmie, WA 98065

Agency: Housing and Urban Development (HUD)

Account: Economic Development Initiatives (EDI)

Funding Requested by: Rep. DAVE REICHERT

Project Summary: This project is for improvements to SR 202/Railroad Avenue, three adjacent streets and four intersections within a two-block area of Snoqualmie's historic downtown business district. The project will: improve pedestrian safety and comfort by providing complete, wider sidewalks with curb bulbs and marked crosswalks at intersections; calm traffic by narrowing travel lanes; improve on-street parking for business livelihood; repair and upgrade utilities to support infill and expansion; improve access to transit.

FINANCE PLAN

A. Project Funding and Budget.

	Appropriation	Local funds	Total project
Design Engineering	$385,000	$475,000	$860,000
Right of Way	100,000	120,000	220,000
Construction Management	190,000	445,000	635,000
Construction	2,325,000	2,660,000	4,985,000
Total	3,000,000	3,700,000	6,700,000

B. Local Funding Sources

Source	Public/private	Amount.
City of Snoqualmie	Public	$1,800,000
Washington State Department of Transportation.	Public	200,000
Developer Mitigation Funds	Private	300,000
Federal Economic Development Administration.	Public	1,400,000
Total		3,700,000

(5) $9,368,193 for the Bellevue-Redmond Bus Rapid Transit (BRT)

Requesting Entity: King County, King County Courthouse, 516 Third Ave., Rm. 1200, Seattle, WA 98104

Agency: Federal Transit Administration

Account: Capital Investment Grants

Funding Requested by: Rep. DAVE REICHERT

This project will construct and operate a 9.25-mile long street-running Bus Rapid Transit (BRT) line connecting downtown Bellevue, Crossroads Mall, the Overlake urban center, and downtown Redmond. The corridor already features substantial existing transit investment including three regional transit transfer centers. The Bellevue–Redmond BRT project is intended to complement these facilities. The scope of work includes 12 new stations, real-time bus arrival information, signal prioritization, and 18 low-floor hybrid vehicles. The Bellevue to Redmond RapidRide Bus Rapid Transit corridor will provide frequent all day service and faster travel times.

FINANCE PLAN

Phase	Federal	Local	Total
BRT Corridor	$2,400,000	$2,584,369	$4,984,369
Rapid Ride Passenger Facilities	2,000,000	689,024	2,689,074
Real Time Information System	500,000	107,500	607,500
Bus Acquisition	15,300,000	4,230,676	19,530,676
Total	20,200,000	7,611,569	27,811,569

This office conducted site visits to meet with representatives from all five of the projects listed above.

THE BLAME GAME CONTINUES WITH REGARD TO CYPRUS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. BURTON of Indiana. Madam Speaker, Monday July 20, 2009 marked the 35th anniversary of the day in 1974 that Turkey intervened to stop an ethnic cleansing campaign against Turkish Cypriots by militant Greek Cypriots. And as usual, a number of my colleagues have come to the floor of this Chamber over the last few days and weeks to lament the so-called ''invasion'' of Cyprus by Turkey. For many years I have taken to the Floor to no avail to respectfully ask my colleagues to lay aside the inflammatory rhetoric and stop throwing barbs at the Turkish Cypriots and Turkey in an attempt to lay all the blame for this complicated issue at their doorstep. This year my call takes on an even more urgent ring. All of us in this chamber, Republicans and Democrats, want to see peace and prosperity come to all the people of Cyprus. We may be closer to peace on Cyprus today then at any time since 2004 when the U.N. plan for a settlement (the Annan Plan) won the support of Turkish Cypriots—by a clear majority of 65%—but failed to win the support of Greek Cypriots—who led by their leadership rejected it by even a larger majority of 76%. By continuing to distort the facts though we are potentially undermining our good faith efforts to see this conflict resolved.

Since the rejection of the Annan Plan, the Greek Cypriot side has been trying to argue that the plan ''did not meet the interests of the country'' and that ''it did not provide for guarantees to ensure the complete implementation of commitments under the plan''. However, the fact is that impartial European Union diplomats, closely associated with the reconciliation effort, have said publicly and very undiplomatically, that the Greek Cypriot people had been ''lied to'' by the Greek Cypriot government as to the details of the Annan plan.

As public servants I think the members of this House understand that no compromise worth its salt ever fully meets all of the demands of either side, nor could it do so or it wouldn't be much of a compromise. The fact is that the Annan Plan was a carefully balanced compromise that certainly from the Turkish Cypriot perspective represented immense sacrifices on the part of the Turkish

Cypriots, on such key issues as land, resettlement, property and security. The Greek government and several former Greek government leaders fully supported the plan and the Turkish government was also pivotal in encouraging the Turkish Cypriots to approve the plan. In the end, the only people who were not willing to make the sacrifices necessary to bring peace to this troubled island were the Greek Cypriots. This is a critically important point to reiterate Madam Speaker; when offered the chance to vote for peace which side rejected peace, Turkish or Greek? The answer is Greek.

To their credit, Turkish Cypriots continue to seek a settlement to the issue. This is testament to their hope for the future; and the latest round of direct negotiations between Turkish Cypriots and Greek Cypriots began in September 2008. These talks following a joint statement issued on May 23, 2008 where the two leaders reaffirmed their commitment to a bi-zonal, bi-communal federation with political equality, as defined by relevant United Nations Security Council resolutions. The statement adds ''This partnership will have a Federal Government with a single international personality, as well as a Turkish Cypriot Constituent State and a Greek Cypriot Constituent State, which will be of equal status.'' As recently as June 2009 Turkish Cypriot President Talat declared his support to ''find a comprehensive solution to the Cyprus problem as soon as possible and make Cyprus a full-fledged member of the European Union as a unified Cyprus. That is our main target and the ongoing negotiations I hope will lead to an ultimate solution.''

Are negotiations proceeding as rapidly and as smoothly as everyone would like; no, but progress is being made. And it is important to remember that the Cyprus conflict is more complex and convoluted then portrayed by many of my colleagues. This conflict did not start in 1974 as many people want to believe. Instead, the origins of the conflict can be traced back to the Greek Cypriot drive for Union with Greece (Enosis), a movement with roots in the waning days of the Ottoman Empire. Even the more modern history of the conflict, stems from the 1950s and 1960s rather then 1974.

The fact is that when the Island of Cyprus gained its independence from Great Britain in 1960, the Republic's constitution specifically defined a power-sharing arrangement which required a Greek Cypriot president and a Turkish Cypriot vice-president, each elected by their constituency.

The fact is that in 1963 Greek Cypriot President Makarios proposed sweeping constitutional modifications which heavily favored the Greek Cypriot community. The changes removed most of the checks and balances which had been built into the constitution to ensure the safety and equal status of the Turkish Cypriots. The inevitable result was a serious deterioration of relations between the two parties which came to a head in December 1963 when armed Greek Cypriots attacked and killed many Turkish Cypriots who were unable to escape. The armed conflict quickly spread with the Turkish Cypriots eventually being forced to withdraw into enclaves to defend themselves. For the next ten years, the campaign of the Greek Cypriots cost the Turkish Cypriots many lives and untold suffering, as well as their equal partnership status in the Cyprus government.

Former United States Undersecretary of State, George Ball, who, among others, was actively dealing with the crisis at the time, remarked in his memoirs entitled The Past Has Another Pattern, that Makarios has turned: ''This beautiful little island into his private abattoir'' (P. 341). Ball went on to say that: ''Makarios'' central interest was to block off Turkish intervention so that he and his Greek Cypriots could go on happily massacring the Turkish Cypriots'' (p. 345).

The fact is that in 1974, Archbishop of Cyprus Makarios—the Greek Cypriot leader at the time—escalated the crisis by embracing Enosis, or Union with Greece, as his election platform. Although Makarios won reelection he also created a power struggle between the military junta in control of mainland Greece and himself for the control over the Island. That power struggle culminated in a coup which forced Makarios to flee Cyprus and renewed ethnic cleansing of Turkish Cypriots.

In his address to the UN Security Council on July 19, 1974, Makarios himself described the coup as ''a clear attack from the outside and a flagrant violation of the independence and sovereignty of the Republic of Cyprus''.

The fact is that in the face of a bloody coup that not only threatened the independence of Cyprus but also resulted in renewed massacres of Turkish Cypriots, Turkey, which was treaty-bound to act as a Guarantor State, was compelled to undertake action on July 20, 1974. And the fact is that as a result of this legitimate and timely action, Turkish Cypriots were saved from imminent destruction, bloodshed among the Greek Cypriots was ended and the independence of Cyprus was protected.

The fact is that the Turkish intervention was legitimate and was internationally confirmed by, among others, the Consultative Assembly of the Council of Europe (CACE). CACE resolution 573, dated July 29, 1974, clearly states, ''Turkey exercised its right of intervention in accordance with Article IV of the Guarantee Treaty of 1960.''

The fact is that Greek Cypriots, having already forestalled UN efforts to resolve the Cyprus issue—and been inexplicably rewarded for it through EU membership—may not truly feel under pressure to seek a just solution as the status quo benefits Greek Cypriots significantly more than Turkish Cypriots.

Madam Speaker, facts are stubborn things; and as the facts in this case clearly show, the crisis on Cyprus is significantly more complex than the ''blame Turkey'' special interest groups would like people to believe. The facts also show it seems to me that if either side has an incentive to drag its feet at the negotiations; and I'm not suggesting necessarily that either side does, but if one side did, it would be the Greek Cypriots.

It's time for the ''blame Turkey'' groups here in the United States to end the 'blame game' and redirect their misspent energies towards the real work of reshaping Cyprus into a Cyprus that respects human rights and the fundamental freedoms for all Cypriots. And it's time for the Greek Cypriots and the Turkish Cypriots to demonstrate political will and negotiate in good faith for the future of all Cypriots.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. BRADY of Texas. Madam Speaker, I was unable to be present for several votes on Monday, July 20, 2009 due to obligations I needed to attend to in Texas. Nevertheless, I would request that the record indicate that I would have voted ''yes'' on both H. Res. 607, ''Celebrating the Fortieth Anniversary of the Apollo 11 Moon Landing,'' of which I am a cosponsor, as well H.R. 2245, the ''New Frontier Congressional Gold Medal Act.'' Each of these bills honors the historic achievement of man's first steps on the Moon, which today still stands as a testament to American ingenuity and an inspiration to millions. Countless young Americans have grown up looking to the stars wanting to be the next Neil Armstrong, Buzz Aldrin or Michael Collins. Though most will never set foot on the Moon, many followed their dreams and pursued careers in science and engineering, careers that have resulted in breathtaking technological advances that have improved the life of each and every American. As we look back on this great achievement, it is my hope that a new generation of Americans will again be inspired by the wonders of space travel and will lead our country into a new era of scientific discovery and space exploration.

IN HONOR AND REMEMBRANCE OF MARJORIE HELEN KNOLL PALLOTTA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Marjorie Helen Knoll Pallotta, whose unwavering devotion to family, friends, community and country has left an indelible imprint upon our society and has forever touched the hearts of all who knew and loved her well.

Mrs. Pallotta was born in Cleveland, Ohio on April 22, 1923 to George W. Knoll, Jr. and Marie C. Dolan Knoll. She graduated from Notre Dame Academy in 1941 and went on to study at the Cleveland Institute of Music, where she met Rico Pallotta. They were married on April 3, 1948 at St. Clair Catholic Church and moved into a duplex in Cleveland Heights. Together, they lovingly raised five children, Ward, Richard, Ann, Joy and Tom, in a home that radiated love, unity and music. They bought their first house in 1955 in Beachwood village and several years later, the family moved to Bainbridge.

Although extremely busy raising five children, Mrs. Pallotta always found time to volunteer in the community. She was known for many beautiful talents, including her singing, prize winning rug hooking, Scottish Country dancing and Irish red hair. She lent her musical talents, especially her beautiful voice, as a singer in churches and at community events. She regularly sang at weddings, at Suburban Temple, and joined the choir of Grace Lutheran Church in Cleveland Heights for the

production of a record album. Mr. and Mrs. Pallotta also sang together in the Cleveland Orchestra Chorus. At family reunions, Mrs. Pallotta thrilled family and friends with her incredible mezzo soprano voice, singing religious, classical and operatic selections along with Broadway show tunes, most often accompanied by Rico on accordion or piano. After singing the National Anthem at a July 4th reunion in New York, her cousin, Larry Dolan, owner of the Cleveland Indians, asked if she would sing at Jacobs Field. She accepted, and with power and perfection, on June 7, 2002 at the age of 79, Mrs. Pallotta sang a powerful and moving rendition of the National Anthem, as tens of thousands of baseball fans listened with pride.

Madam Speaker and Colleagues, please join me in honor and recognition of Marjorie Helen Knoll Pallotta, whose joyous and spirited life reflects unwavering dedication to family, friends and community—framed in love, music and song. I offer my heartfelt condolences to her children, Ward, Richard, Ann, Joy and Tom; to her grandchildren, and to her extended family members and many friends. Mrs. Pallotta's beautiful life brought joy to her family, friends and people in the community, and her love of life, and love she showed to others, will forever be remembered.

EARMARK DECLARATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. REICHERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3183, the Fiscal Year 2010 Energy and Water Development and Related Agencies Appropriations Act.

(1) $2,600,000 for the King County, WA for Duwamish and Green River Basin

Requesting Entity: King County, 516 Third Ave, Rm 1200, Seattle, WA 98104

Agency: Corps of Engineers

Account: Construction

Funding requested by: Reps. DAVE REICHERT, NORM DICKS, JIM MCDERMOTT, ADAM SMITH

This project supports the restoration of the Duwamish Green watershed by implementing a range of habitat restoration projects for the recovery of ESA listed Chinook in a high priority watershed. The projects are coordinated to the extent possible with flood protection along the lower parts of the river where regional industrial and manufacturing centers are located. The watershed is the second most populous watershed in Puget Sound and encompasses 15 cities, including part of the city of Seattle, the water supply for the City of Tacoma, forest and agricultural production districts, as well as multiple natural resources and public parks and open space.

Finance Plan:

Project name	Phase	Federal share
Mill Creek	Design	$250,000
Riverview Park	Construction	3,000,000
Upper Springbrook Creek	Construction	1,000,000
Levee Bank Maintenance	Construction	2,250,000
Total		6,500,000

(2) $400,000 for Mud Mountain Dam.

Requesting Entity: U.S. Army Corps of Engineers (CECS–C), Government Accountability Office Building, 441 G Street, NW, Attn: CECS–C, Washington, DC 20314

Agency: Corps of Engineers

Account: Construction

Funding requested by: Reps. DAVE REICHERT, JIM MCDERMOTT, NORM DICKS, ADAM SMITH

A U.S. Army Corps of Engineers flood control dam on the White River, controlling floods in the lower White and Puyallup River valleys. The new dam will replace the 100-year old structure and enable the Corps to meet ongoing fish passage needs for Mud Mountain dam. Replacement of the current structure is necessary to ensure the Corps of Engineers' ability to meet existing and future fish passage responsibilities for its Mud Mountain Dam on the White River.

Finance Plan:

Since this is an Administration request, specifics on the funds and how they will be used will be available from the USACE Seattle District office, once they have arrived at a funding level for FY 2010.

(3) $3,056,000 for Mud Mountain Dam.

Requesting Entity: U.S. Army Corps of Engineers (CECS–C), Government Accountability Office Building, 441 G Street, NW, Attn: CECS–C, Washington, DC 20314

Agency: Corps of Engineers

Account: Operations and Maintenance

Funding requested by: Reps. DAVE REICHERT, ADAM SMITH

A U.S. Army Corps of Engineers flood control dam on the White River, controlling floods in the lower White and Puyallup River valleys. The new dam will replace the 100-year old structure and enable the Corps to meet ongoing fish passage needs for Mud Mountain Dam. The Corps of Engineers relies upon the White River diversion dam and trap and haul facilities to enable it to meet its fish passage needs for its Mud Mountain Dam on the White River.

Finance Plan:

Since this is an Administration request, specifics on the funds and how they will be used will be available from the USACE Seattle District office, once they have arrived at a funding level for FY 2010.

(4) $500,000 for the City of Issaquah, WA for the Issaquah Highlands Zero Energy Affordable Housing.

Requesting Entity: King County, 516 Third Ave, Room 1200, Seattle, WA 98104

Agency: Department of Energy

Account: EERE

Funding requested by: Rep. DAVE REICHERT

To build a cutting edge, attached residential green building demonstration project which will be one of the most innovative green housing projects in the Pacific Northwest. The project involves the design, construction, and sale of 10 attached residential homes, built to an extremely green standard. Funding would be used to expand the zero emission project to include an adjacent 150-unit affordable housing project planned by a partnership of the YWCA of Seattle, King County, Snohomish County, and the City of Issaquah.

Finance Plan:

ISSAQUAH HIGHLANDS PROJECT FINANCE PLAN

Total Project Cost: $55.4 million

Public Sources: $16.6 million which includes City in-kind value of land and waived fees of $7.1 million)

Private (individual, corporate, foundation) donations: $12 million

YWCA Loan and Contributions: $1.8

Debt via tax-exempt bonds: $7.8

Low Income Housing Tax Credit Equity: $17.2

Given the anticipated schedule, our contractor assumes the construction alone would take 457,000 man hours, which equals 114 FTE for the duration of the project (about 2 yrs). However, since most people would only be on the job for their scope of work, maybe 6 months average duration, it really would employ more like 450+ people. This number does not take into account the support-related positions such as accountants, bookkeepers, attorneys, architects, suppliers, concrete truck drivers, city inspectors, etc. (5) $500,000 for the City of Redmond for research and development of liquid carriers for hydrogen energy.

Requesting Entity: Asemblon, Inc., 15340 NE 92nd Street, Suite B, Redmond, WA 98052

Agency: Department of Energy

Account: EERE

Funding requested by: Rep. Dave Reichert

For molecular carrier technology that allows hydrogen to be transported, stored and dispensed in liquid form at ambient temperature and pressure. This will allow the use of the currently available gasoline infrastructure to dispense hydrogen which will then be released on demand for automotive combustion. Existing internal combustion engines can be economically retrofitted for this purpose. With the requested funding we will fully demonstrate all aspects of this process. The ability to incorporate hydrogen into our National Energy schema has been impeded by the cost to store and transport it in refrigerated and pressurized form. We have overcome this obstacle. Their analysis shows that they can install hydrogen stations at ~1/10 the cost of conventional hydrogen systems thereby accelerating hydrogen adoption, more rapidly reducing our dependence on foreign oil, and reducing CO_2 emissions on a 1:1 basis hydrocarbon combustion is reduced.

Finance Plan:

FY10 PROJECT REQUEST DOE EERE ASEMBLON, INC.

HYDRNOL™ fueling station	Qty	Price	Extension	Total	Purchased equip.
20-Foot Shipping Container					
Design and Development Charges	1	10,000	10,000		
Fabrication to Specification	2	8,500	17,000		17,000
Painting and Graphics	2	3,500	7,000		
Shipment	2	1,200	2,400		
Site Preparation	2	6,500	13,000		
Regulatory, Inspection, Fire Marshall	2	4,500	9,000		

FY10 PROJECT REQUEST DOE EERE ASEMBLON, INC.—Continued

HYDRNOL™ fueling station	Qty	Price	Extension	Total	Purchased equip.
				58,400	17,000
Fuel Bladders					
Design and Development	1	12,500	12,500		
RFQ Prototypes	4	6,500	26,000		
Testing to Destruction for Pressure	4	3,000	12,000		
Redesign	1	5,000	5,000		
Production Bladders	8	5,500	44,000		
Installation and Testing	2	4,000	8,000		
Lifetime Cycle Testing (600 fill cycles)	2	12,500	25,000		
				132,500	0
Fueling Pumps					
Design and Development	1	12,500	12,500		
Prototypes	4	15,000	60,000		60,000
Testing	2	7,500	15,000		
Redesign	1	5,000	5,000		
Production Modifications	6	3,500	21,000		
Testing	1	8,000	8,000		
Human Factors	1	7,500	7,500		
Regulatory, Inspection, Fire Marshall	1	6,000	6,000		
Lifetime Cycle Testing (40,000 fills)	2	15,000	30,000		
				165,000	60,000
Battery Back-up Power System and Conditioner					
Design and Development	1	7,500	7,500		
RFQ Purchased Parts (batteries, inverter)	2	37,800	75,600		75,600
Installation	2	6,500	13,000		
Testing	2	5,000	10,000		
Production Modifications	2	3,500	7,000		
Certification	1	8,000	8,000		
Regulatory, Inspection, Fire Marshall	1	7,500	7,500		
				128,600	75,600
Renewable Energy Power System					
Design and Development	1	5,500	5,500		
RFQ Purchased Parts (. . .)	2	32,500	65,000		65,000
Installation	2	7,500	15,000		
Testing	2	4,500	9,000		
Production Modifications	2	3,500	7,000		
Certification	1	10,000	10,000		
Regulatory, Inspection, Fire Marshall	1	5,500	5,500		
				117,000	65,000
Self-Contained Security System					
Design and Development	1	7,500	7,500		
RFQ Purchased Parts (. . .)	2	20,000	40,000		40,000
Installation	2	5,000	10,000		
Testing	2	4,500	9,000		
Production Modifications	2	3,500	7,000		
Certification	1	5,000	5,000		
Regulatory, Inspection, Fire Marshall	1	6,500	6,500		
				85,000	40,000
Roll-back Truck for Statewide Demonstrations					
Design and Development	1	7,500	7,500		
RFQ Purchased Parts (. . .)	1	46,000	46,000		46,000
Testing	2	4,500	9,000		
Production Modifications	2	3,500	7,000		
				69,500	46,000
Sub-total Hydrogen Fueling Station				756,000	303,600

HYDRNOL™ Conversion and Compression	Qty	Price	Extension	Total	Purchased equip.
20-Foot Shipping Container					
Design and Development Charges	1	15,000	15,000		
Fabrication to Specification	1	8,500	8,500		
Painting and Graphics	1	3,500	3,500		
Shipment	1	1,200	1,200		
ND Site Preparation	1	85,000	85,000		
Regulatory, Inspection, Fire Marshall	1	10,000	10,000		
				123,200	0
Triple-stage Compressors					
Design and Development	1	12,500	12,500		
QTE Triple-stage Compressor to 12,000 ps	1	185,000	185,000		185,000
Plumbing, Valves, Controls	1	90,000	90,000		90,000
Testing	1	12,500	12,500		
Certification	1	10,000	10,000		
Regulatory, Inspection, Fire Marshall	1	10,000	10,000		
				320,000	275,000
Hydrogen Storage Tanks (12,000 psig)					
Design and Development	1	9,500	9,500		
Prototypes	2	30,000	60,000		60,000
Testing	1	7,500	7,500		
Regulatory, Inspection, Fire Marshall	1	10,000	10,000		
				87,000	60,000
Hydrogen Dispensers (5,000 + 10,000 psig)					
Design and Development	1	7,500	7,500		
Purchased Parts	1	90,000	90,000		90,000
Installation	1	6,500	6,500		
Testing	1	5,000	5,000		
Production Modifications	1	3,500	3,500		
Certification	1	8,000	8,000		
Regulatory, Inspection, Fire Marshall	1	7,500	7,500		
				128,000	90,000
Self-Contained Security System					
Design and Development	1	6,000	6,000		
RFQ Purchased Parts (. . .)	1	20,000	20,000		20,000
Installation	1	6,000	6,000		
Testing	1	4,500	4,500		
Production Modifications	1	3,500	3,500		
Certification	1	5,000	5,000		
Regulatory, Inspection, Fire Marshall	1	4,500	4,500		

HYDRNOL™ Conversion and Compression	Qty	Price	Extension	Total	Purchased equip.
				49,500	20,000
Roll-back Truck for Statewide Demonstrations					
Design and Development	1	3,000	3,000		
RFQ Purchased Parts (. . .)	1	46,000	46,000		46,000
Testing	1	4,500	4,500		
Production Modifications	1	3,500	3,500		
				57,000	46,000
Sub-total HYDRNOL Conversion and Compression Unit				764,700	491,000

HYDRNOL Fuel Delivery and Vehicle Mods	Qty	Price	Extension	Total	Purchased equip.
Fuel Delivery Truck					
RFQ Truck Works Incorporated Custom	1	80,000	80,000		80,000
Pillow Tanks	3	8,500	25,500		
Testing	1	5,000	5,000		
Modification	1	4,500	4,500		
				115,000	80,000
HYDRNOL Retrofit Kit for Cars and Light Trucks					
Design	1	50,000	50,000		
Prototypes	4	15,000	60,000		60,000
Modification	1	5,000	5,000		
Testing	1	5,000	5,000		
Pre-production	4	10,000	40,000		
Testing	1	5,000	5,000		
Modification	1	7,500	7,500		
E Production	10	7,500	75,000		75,000
				247,500	135,000
Bellevue School Bus Modifications					
Design and Fabrication of Storage Tank	1	5,500	5,500		
Installation of HYDRNOL Retrofit Kit	1	4,000	. 4,000		
Engine/Air Cleaner Modifications	8	4,000	32,000		
Computer Ignition Timing Modification	1	5,000	5,000		
Testing	1	5,000	5,000		
				51,500	0
North Dakota Chevrolet Silverado Truck					
ND Delivery of Silverado from North Dakota	1	2,500	2,500		
Design and Fabrication of Storage Tank	1	8,500	8,500		
Installation of HYDRNOL Retrofit Kit	1	4,000	4,000		
Injector Modifications	8	4,000	32,000		
Computer Ignition Timing Modification	1	5,000	5,000		
Testing	1	5,000	5,000		
				57,000	0
1988 Corvette Modifications					
Design and Fabrication of Storage Tank	1	5,500	5,500		
Installation of HYDRNOL Retrofit Kit	1	4,000	4,000		
Injector Modifications	8	4,000	32,000		
Computer Ignition Timing Modification	1	5,000	5,000		
Testing	1	5,000	5,000		
				51,500	0
Sub-total HYDRNOL Fuel Delivery and Vehicle Mods				522,500	215,000

FY10 Project request summary DOE EERE Asemblon, Inc.	Total	Purchased equip.
HYDRNOL Fueling Station	756,000	303,600
HYDRNOL Conversion and Compression Unit	764,700	491,000
HYDRNOL Fuel Delivery and Vehicle Mods	522,500	215,000
Total	######	######
Overhead—30.0%	612,960	
Travel + Living	24,000	
Grand Total	######	
"In-kind" Contributions		
Design + Development	40,000	
Overhead Expenses	612,960	
Travel + Living	24,000	
Total "In-kind"	676,960	

FY10 Project request summary DOE EERE Asemblon, Inc.	Total	Purchased equip.
Net Grant Request	######	25.3%

(6) $1,000,000 for the University of Washington for biofuels industry development.

Requesting Entity: University of Washington, Seattle, WA 98195

Agency: Department of Energy

Account: EERE

Funding requested by: Reps. DAVE REICHERT, JIM MCDERMOTT, ADAM SMITH

Research and development to convert Washington mixed biomass sources into transportation fuels. The center is lacking critical equipment and lab facilities to do the comprehensive research that is necessary to design a commercial scale facility. Acquisition of the required equipment would provide for the establishment of a world class research laboratory and a comprehensive services laboratory that Washington state commercial operations will need to optimize and refine their processes.

Finance Plan:

Item priority	Cost	
Laboratory renovations and modernization	$1,500,000	½A & ½B"
Processing equipment		
High-Throughput Catalyst Test Reactor	150,000	B
Catalytic Flow reactors (2)	80,000	B
Recirculation high temperature & high pressure	50,000	C
High pressure fuel injection system for fuel analysis	80,000	B
High pressure steam reactor with decompression capability and boiler	500,000	A
2L and 40L Fermenters	300,000	½B & ½C
Large scale autoclave	80,000	C
Large scale high speed centrifuge	40,000	C
Glove box and other miscellaneous supplies	75,000	C
Analytical Equipment		
Variable Temperature Atomic Microscope (STM–AFM)	250,000	B
Infrared spectrometer (including DRIFTS capabilities & IR microscope)	250,000	C
GC-Mass spectrometer	200,000	C
HPLC configured for catalysis research	75,000	B
On line mass spectrometer	50,000	C
GC and Micro GC for fast analysis	100,000	B
Liquid Chromatography Mass Spectroscopy LCMS	180,000	A
X-ray Diffractometry	190,000	C
Elemental Analyzer	80,000	C
Confocal microscope	300,000	B
Fast protein liquid chromatograph	125,000	C
Total	4,655,000	

This office conducted site visits to meet with representatives from all of the projects listed above.

35TH YEAR OF INVASION AND OCCUPATION OF CYPRUS

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2009

Mr. SARBANES. Madam Speaker, today I rise, like so many have done before me for 35 years now, and lament the unjust division of the Republic of Cyprus.

For more than 60 years, the United States has extended the hand of friendship to Turkey, offering her material support, offering her military protection and most importantly, engaging our Turkish friend and ally with the respect, admiration, and dignity that emanate from our great Nation's democratic values.

Just a few months ago, President Obama paid a historic visit to Turkey where he called upon the European Union to embrace Turkey's application to join that body of peace loving, democratic nations, and as well, he called for a just and lasting settlement that reunifies Cyprus as a bi-zonal, bi-communal federation.

Last year, upon this remembrance, I commended the noble efforts exerted by the Greek Cypriot and Turkish Cypriot communities to reunify their island republic. Today, 1 year later, I again praise President Dimitrios Christofias and Turkish Cypriot Leader Mehmet Ali Talat for their commitment to peace and unity.

So why then, with Cypriot leadership committed to reunification, Turkey's NATO membership since 1952, United Nations' diplomatic initiatives and the appointment of numerous special American, British and E.U. envoys, does Cyprus remain divided and occupied for 35 years?

For three and a half decades, the international community has unequivocally called for the removal of the 45,000 Turkish troops garrisoned in the occupied north, so that the people of Cyprus may be relieved of the humanitarian hardship and injustice brought on by Turkey's hostile occupation.

In 1975, this Chamber imposed sanctions upon Turkey and refused to allow sales or aid of American military equipment to Turkey, because of its unlawful invasion and occupation of Cyprus. That embargo was lifted by the exigencies of the Cold War, because the Turkish military retaliated against the United States by denying use of strategic military assets located in Turkey.

From the outset of the Turkish invasion of Cyprus to this day, the United Nations has repeatedly called for the removal of Turkish occupation forces and for the respect of the sovereignty, independence and territorial integrity of Cyprus.

Following high level U.N. brokered talks in 1979, Turkey agreed as a confidence building measure to withdraw and handover the uninhabited city of Famagusta to its rightful inhabitants. In this regard, U.N. Security Council Resolution 550/1984 calls for the transfer of the occupied, but uninhabited, city of Famagusta to the United Nations for the orderly resettlement of the city by its rightful inhabitants. To this day, Turkey has reneged on its pledge to comply with the agreements achieved during the high level talks and has completely disregarded the U.N. resolutions on Famagusta.

As recently as May 2009, the U.N. Secretary General placed the blame for the failure to return Famagusta to its rightful inhabitants squarely upon the Government of Turkey. This Chamber has also enacted section 620C(a)(5) of the Foreign Assistance Act of 1961 (22 U.S.C. 2373 (a)(5)) in support of the United Nations Secretary General's efforts to resettle the occupied, but uninhabited, city of Famagusta by its rightful inhabitants. Turkey, our NATO ally and beneficiary of significant American support, has ignored America's calls for compliance with the return of Famagusta, just as it has ignored the U.N.'s.

Today, Senator CARDIN and Congressman HASTINGS of the Helsinki Commission held a briefing on the destruction of the history, heritage and culture in the occupied north of Cyprus. As that briefing pointed out, despite clear international commitments on the importance of preserving religious and cultural heritage, hundreds of churches, chapels and monasteries in the northern part of Cyprus remain in peril. Thousands of icons, manuscripts, frescos, and mosaics have been looted from sites in northern Cyprus—many ending up on international auction blocks. The United States, the E.U. and the United Nations have all called on Turkey to honor its international obligations and cease and desist from this further hostility to the people of Cyprus. This begs the question, how can Turkey seek to join the European Union, all the while it is destroying the very existence of European history and culture in the north of Cyprus.

The European Union has also called on Turkey to honor its agreement to open its ports and airspace to Republic of Cyprus flagged vessels. Rather than comply with its commitments, Turkey demands that the E.U. engage in international economic activity with the unlawfully occupied north of the island republic. It is incredible that Turkey would refuse to open its ports and airspace and extend legal recognition to a member state of the European Union all the while it seeks to become a full fledged member of that Union.

The United States rightly places great importance in strategically mooring Turkey to the E.U. and America, but I am greatly concerned that Turkey does not share our vision or commitment to the liberal democratic processes that works to ensure global peace and stability. There are no greater advocates for Turkey's acceptance into the European Union, than Greece, Cyprus and the United States. Despite the fact that Turkey has bullied and beaten the small island Republic of Cyprus, Cyprus has shown great humanity by demanding of its fellow E.U. members that Turkey should be afforded the right to join the E.U.

The Republic of Cyprus has gone the extra mile to keep its Turkish speaking citizens engaged in its democratic and economic successes, it has gone the extra mile to engage Turkey and normalize relations, and it has gone the extra mile by becoming an advocate of Turkey's entry into the E.U. Unfortunately, Turkey has not responded in kind. To this very day, Turkey violates the territorial integrity of Cypriot seas and air space. It acts to limit the economic activities of the tiny republic and it subjects it to the menacing threat of a massively armed contingent of 45,000 soldiers.

The division of Cyprus is a matter of invasion and occupation, and not as Turkey claims, a matter of inter-communal conflict. On this very point, the European Court of Human Rights (ECHR) has held time and time again that Turkey exercises "effective overall control of northern Cyprus through its military presence there . . ." and stresses the point "that Turkey's responsibility under the [European] Convention could not be confined to the acts of its own soldiers and officials operating in northern Cyprus, but was also engaged by virtue of the acts of the local administration . . ., which survived by virtue of Turkish military and other support." There can be no doubt from the rulings of the ECHR that the division of the Republic of Cyprus continues because of the Turkish military occupation.

The Cyprus problem pits American allies against one another and impedes the orderly progress of NATO and the E.U. in a strategically vital part of the world. The time has come for us to ask ourselves, is the Government of Turkey part of the solution or is it the very heart of the problem. How Turkey resolves the division of Cyprus will work to define how Turkey will be engaged by Europe. Should Turkey continue to occupy Cyprus as a post-imperial power with no regard for its prior commitments to international agreements and with no sense of obligation to the very European heritage, history and culture that it must uphold as an aspirant member of the E.U., Turkey will by its own hand foreclose its chances of joining the European Union.

Madam Speaker, Turkey is gambling with more than even the democratic liberties of the people of Cyprus. I fear that should Turkey fail to honor democracy, human rights and the rule of law, Turkey will drift away from the United States and Europe and chart a course that will be openly adverse to the interest of NATO, America and the E.U. It is high time that we engage our ally, while we still can, and ensure a democratic resolution to the division of Cyprus.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7723–S7808

Measures Introduced: Fourteen bills and three resolutions were introduced, as follows: S. 1476–1489, S.J. Res. 218–219, and S. Con. Res. 33. **Page S7779**

Measures Passed:

Minority Party Appointments: Senate agreed to S. Res. 218, making minority party appointments for the 111th Congress. **Page S7807**

Food and Nutrition Service 40th Anniversary: Senate agreed to H. Con. Res. 164, recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture. **Pages S7807–08**

New Frontier Congressional Gold Medal Act: Senate passed H.R. 2245, to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr., clearing the measure for the President.

Page S7808

Measures Considered:

National Defense Authorization Act: Senate continued consideration of S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto: **Pages S7723–70**

Adopted:

By 58 yeas to 40 nays (Vote No. 235), Levin/McCain Amendment No. 1469, to strike $1,750,000,000 in Procurement, Air Force funding for F–22A aircraft procurement, and to restore operation and maintenance, military personnel, and other funding in divisions A and B that was reduced in order to authorize such appropriation. **Pages S7723–41**

McCain (for Kyl) Amendment No. 1628, to express the sense of the Senate on imposing sanctions with respect to the Islamic Republic of Iran.

Pages S7745–50

Nelson (FL) Amendment No. 1515, to repeal the requirement for the reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation. **Pages S7751–52**

By 93 yeas to 1 nay (Vote No. 236), Lieberman Amendment No. 1528, to provide authority to increase Army active-duty end strengths for fiscal year 2010 as well as fiscal years 2011 and 2012.

Pages S7765–66, S7768

Pending:

Thune Amendment No. 1618, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

Pages S7752–55

Brownback Amendment No. 1597, to express the sense of the Senate that the Secretary of State should redesignate North Korea as a state sponsor of terrorism. **Pages S7756–65**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, July 22, 2009. **Page S7808**

Appointments:

Ronald Reagan Centennial Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 111–25, announced the appointment of the following individuals to serve as members of the Ronald Reagan Centennial Commission: Sig Rogich of Nevada, and Frank Fahrenkoph of Nevada.

Page S7807

Floor Privileges—Agreement: A unanimous-consent agreement was reached providing that when the Senate convenes as a Court of Impeachment with regard to the case of Samuel B. Kent, the following list of staff from the House of Representatives be provided floor privileges during those proceedings:

Phil Tahtakran, Branden Ritchie, Ryan Clough, Michael Lenn, Danielle Brown, Alan Baron, Allison Halataei, Jessica Klein, Kirsten Konar. **Page S7807**

Messages from the House: **Page S7775**

Executive Communications: **Pages S7775–76**

Executive Reports of Committees: **Pages S7776–79**

Additional Cosponsors: **Pages S7780–82**

Statements on Introduced Bills/Resolutions: **Pages S7782–93**

Additional Statements: **Pages S7774–75**

Amendments Submitted: **Pages S7793–S7806**

Notices of Hearings/Meetings: **Page S7806**

Authorities for Committees to Meet: **Page S7807**

Privileges of the Floor: **Page S7807**

Record Votes: Two record votes were taken today. (Total—236) **Pages S7741, S7768**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:40 p.m., until 9:30 a.m. on Wednesday, July 22, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7808.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee announced the following subcommittee assignments:

Subcommittee on Rural Revitalization, Conservation, Forestry and Credit: Senators Lincoln (Chair), Leahy, Stabenow, Nelson (NE), Casey, Bennet, Cornyn, Cochran, McConnell, Grassley, and Thune.

Subcommittee on Energy, Science and Technology: Senators Stabenow (Chair), Conrad, Nelson (NE), Brown, Klobuchar, Bennet, Gillibrand, Thune, Lugar, Roberts, Johanns, Grassley, and Cornyn.

Subcommittee on Hunger, Nutrition, and Family Farms: Senators Brown (Chair), Leahy, Baucus, Lincoln, Stabenow, Casey, Klobuchar, Bennet, Gillibrand, Lugar, Cochran, McConnell, and Cornyn.

Subcommittee on Production, Income Protection and Price Support: Senators Casey (Chair), Leahy, Conrad, Baucus, Lincoln, Brown, Roberts, Cochran, Johanns, Grassley, and Thune.

Subcommittee on Domestic and Foreign Marketing, Inspection, and Plant & Animal Health: Senators Gillibrand (Chair), Conrad, Baucus, Nelson (NE), Klobuchar, Johanns, Lugar, McConnell, and Roberts.

Senators Harkin and Chambliss are ex-officio members of each of the Subcommittees.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S.1274, to amend title 46, United States Code, to ensure that the prohibition on disclosure of maritime transportation security information is not used inappropriately to shield certain other information from public disclosure, with an amendment in the nature of a substitute; and

S.1451, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, with an amendment in the nature of a substitute;

An original bill entitled "SAFETEA–LU"; and

The nominations of Polly Trottenberg, of Maryland, to be Assistant Secretary, and Deborah A. P. Hersman, of Virginia, to be Chairman and Member of the National Transportation Safety Board, both of the Department of Transportation, Richard A. Lidinsky, Jr., of Maryland, to be a Federal Maritime Commissioner, and Mignon L. Clyburn, of South Carolina, and Meredith Attwell Baker, of Virginia, both to be a Member of the Federal Communications Commission.

FEDERAL LAND ASSISTANCE, MANAGEMENT AND ENHANCEMENT ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 561 and H.R. 1404, bills to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, focusing on progress the agencies have made in managing wildland fires, after receiving testimony from Jay Jensen, Deputy Under Secretary for Natural Resources and Environment, and R. Max Peterson, former Chief, United States Forest Service, both of the Department of Agriculture; Rhea Suh, Assistant Secretary of the Interior for Policy, Management and Budget; Patricia Dalton, Managing Director, Natural Resources and Environment, Government Accountability Office; and Leah MacSwords, Kentucky State Forester, Frankfort, on behalf of the National Association of State Foresters.

CLEAN ENERGY JOBS, CLIMATE POLICIES, AND ECONOMIC GROWTH

Committee on Environment and Public Works: Committee concluded a hearing with the Subcommittee on Green Jobs and the New Economy to examine state and local views on clean energy jobs, climate-related policies, and economic growth, after receiving testimony from Colorado Governor Bill Ritter, Jr., Denver; Washington Governor Chris Gregoire, Olympia; New Jersey Governor Jon S. Corzine, and Mayor Douglas H. Palmer, both of Trenton; North Dakota Governor John Hoeven, Bismarck; Arkansas State Representative John Lowery, El Dorado; Mayor Robert Kiss, Burlington, Vermont; and Mayor William D. Euille, Alexandria, Virginia.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Charles A. Ray, of Maryland, to be Ambassador to the Republic of Zimbabwe, Gayleatha Beatrice Brown, of New Jersey, to be Ambassador to Burkina Faso, Donald H. Gips, of Colorado, to be Ambassador to the Republic of South Africa, James Knight, of Alabama, to be Ambassador to the Republic of Benin, Earl M. Irving, of California, to be Ambassador to the Kingdom of Swaziland, Jerry P. Lanier, of North Carolina, to be Ambassador to the Republic of Uganda, Michael Battle, of Georgia, to be Representative to the African Union, with the rank and status of Ambassador, Alfonso Lenhardt, of New York, to be Ambassador to the United Republic of Tanzania, Pamela J. H. Slutz, of Texas, to be Ambassador to the Republic of Burundi, and Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Guinea, all of the Department of State, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. Res. 81, supporting the goals and ideals of World Water Day, with an amendment in the nature of a substitute; and

The nominations of Carlos Pascual, of the District of Columbia, to be Ambassador to Mexico, Kenneth H. Merten, of Virginia, to be Ambassador to the Republic of Haiti, Vilma S. Martinez, of California, to be Ambassador to Argentina, Nicole A. Avant, of California, to be Ambassador to the Commonwealth of The Bahamas, Vinai K. Thummalapally, of Colorado, to be Ambassador to Belize, John R. Nay, of Michigan, to be Ambassador to the Republic of Suriname, Anne Elizabeth Derse, of Maryland, to be Ambassador to the Republic of Lithuania, Donald Sternoff Beyer, Jr., of Virginia, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein, Howard W. Gutman, of Maryland, to be Ambassador to Belgium, and David H. Thorne, of Massachusetts, to be Ambassador to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino, all of the Department of State, and a promotion list in the Foreign Service.

CLIMATE CHANGE AND GLOBAL SECURITY

Committee on Foreign Relations: Committee concluded a hearing to examine climate change and global security, focusing on challenges, threats, and diplomatic opportunities, after receiving testimony from former Senator John Warner; Vice Admiral Lee F. Gunn, USN (Ret.), American Security Project, and Sharon Burke, Center for a New American Security, both of Washington, D.C.; and Vice Admiral Dennis McGinn, USN (Ret.), Center for Naval Analysis Advisory Board, Lexington Park, Maryland.

SPECULATION IN THE WHEAT MARKET

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine speculation in the wheat market, after receiving testimony from Gary Gensler, Chairman, United States Commodity Futures Trading Commission; Thomas Coyle, National Grain and Feed Association, Mark Cooper, Consumer Federation of America, and Hayden Wands, American Bankers Association, all of Washington, D.C.; Steven H. Strongin, Goldman, Sachs and Co., New York, New York; and Charles P. Carey, CME Group Inc., Chicago, Illinois.

EMPLOYMENT VERIFICATION SYSTEM

Committee on the Judiciary: Subcommittee on Immigration, Refugees and Border Security concluded a hearing to examine the current employment verification system, after receiving testimony from Representative Gutierrez; Michael Aytes, Acting Deputy Director, United States Citizenship and Immigration Services, Department of Homeland Security; and James W. Ziglar, Migration Policy Institute, and Lynden Melmed, Berry Appleman & Leiden, LLP, both of Washington D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 3269–3285; and 4 resolutions, H.J. Res. 61; and H. Res. 663–664, 666 were introduced. **Pages H8494–95**

Additional Cosponsors: **Pages H8495–96**

Reports Filed: Reports were filed today as follows:

H.R. 22, to amend chapter 89 of title 5, United States Code, to allow the United States Postal Service to pay its share of contributions for annuitants' health benefits out of the Postal Service Retiree Health Benefits Fund, with an amendment (H. Rept. 111–216); **Page H8494**

H. Res. 665, providing for consideration of the bill (H.R. 2920) to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration (H. Rept. 111–217). **Page H8494**

Speaker: Read a letter from the Speaker wherein she appointed Representative Salazar to act as Speaker Pro Tempore for today. **Page H8411**

Recess: The House recessed at 11:33 a.m. and reconvened at noon. **Page H8418**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Monday, July 20th:

Recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture: H. Con. Res. 164, to recognize the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture, by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 596; **Page H8445**

Authorizing the designation of National Environmental Research Parks by the Secretary of Energy: H.R. 2729, amended, to authorize the designation of National Environmental Research Parks by the Secretary of Energy, by a ⅔ yea-and-nay vote of 330 yeas to 96 nays, Roll No. 597; **Pages H8445–46**

Providing for a program of research, development, and demonstration on natural gas vehicles: H.R. 1622, amended, to provide for a program of research, development, and demonstration on natural gas vehicles, by a ⅔ yea-and-nay vote of 393 yeas to 35 nays, Roll No. 598; **Pages H8446–47**

Supporting the goals of National Dairy Month: H. Res. 507, amended, to support the goals of National Dairy Month, by a ⅔ yea-and-nay vote of 428 yeas with none voting "nay", Roll No. 599; **Page H8447**

Recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs' efforts to decrease hunger and help feed those in need: H. Res. 270, to recognize the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs' efforts to decrease hunger and help feed those in need, by a ⅔ yea-and-nay vote of 418 yeas to 1 nay, Roll No. 600; **Page H8455**

Commending the Bureau of Labor Statistics on the occasion of its 125th anniversary: S. Con. Res. 30, to commend the Bureau of Labor Statistics on the occasion of its 125th anniversary, by a ⅔ yea-and-nay vote of 421 yeas to 2 nays, Roll No. 601; **Pages H8455–56**

Recognizing the historical and national significance of the many contributions of John William Heisman to the sport of football: H. Con. Res. 123, to recognize the historical and national significance of the many contributions of John William Heisman to the sport of football, by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 602; **Pages H8456–57**

A Child Is Missing Alert and Recovery Center Act: H.R. 1933, 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, by a ⅔ yea-and-nay vote of 417 yeas to 5 nays, Roll No. 603; and **Page H8457**

Korean War Veterans Recognition Act: H.R. 2632, to amend title 4, United States Code, to encourage the display of the flag of the United States on National Korean War Veterans Armistice Day, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 604. **Pages H8457–58**

Recess: The House recessed at 4:18 p.m. and reconvened at 4:29 p.m. **Page H8448**

Privileged Resolution—Intent to Offer: Representative Nunes announced his intent to offer a privileged resolution. **Page H8448**

Suspension: The House agreed to suspend the rules and agree to the following measure:

Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003: H. J. Res. 56, amended, to approve the

renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

Pages H8460–62

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Extending the deadline for commencement of construction of a hydroelectric project: H.R. 2938, to extend the deadline for commencement of construction of a hydroelectric project; **Pages H8449–51**

Recognizing the need to continue research into the causes, treatment, education, and an eventual cure for diabetes: H. Res. 69, to recognize the need to continue research into the causes, treatment, education, and an eventual cure for diabetes;

Pages H8451–55

Lim Poon Lee Post Office Designation Act: H.R. 3119, to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office''; **Pages H8458–60**

Supporting the goals and ideals of ''National Children and Families Day'': H. Res. 534, to support the goals and ideals of ''National Children and Families Day''; **Pages H8462–63**

Conrad DeRouen, Jr. Post Office Designation Act: H.R. 2972, to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the ''Conrad DeRouen, Jr. Post Office''; **Page H8464**

Congratulating the 2008–2009 National Basketball Association Champions, the Los Angeles Lakers, on an outstanding and historic season: H. Res. 566, to congratulate the 2008–2009 National Basketball Association Champions, the Los Angeles Lakers, on an outstanding and historic season; and

Pages H8465–66

Honoring the life and accomplishments of Harry Kalas for his invaluable contributions to the national past-time of baseball, the community, and the Nation: H. Res. 350, to honor the life and accomplishments of Harry Kalas for his invaluable contributions to the national past-time of baseball, the community, and the Nation. **Pages H8466–68**

Senate Message: Message received from the Senate today appears on page H8418.

Senate Referrals: S. Con. Res. 11 was referred to the Committee on Foreign Affairs and S. 951 was held at the desk. **Page H8493**

Quorum Calls—Votes: Nine yea-and-nay votes developed during the proceedings of today and appear on pages H8445, H8446, H8446–47, H8447, H8455, H8455–56, H8456–57, H8457 and H8457–58. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 11:47 p.m.

Committee Meetings

DAIRY INDUSTRY'S ECONOMIC CONDITIONS

Committee on Agriculture: Subcommittee on Livestock, Dairy and Poultry continued hearings to review economic conditions facing the dairy industry, Part II. Testimony was heard from public witnesses.

DETAINEE TERRORISM COMMUNICATIONS INFORMATION

Committee on Armed Services: Ordered reported, as amended, H. Res. 602, Requesting that the President and directing that the Security of Defense transmit to the House of Representatives all information in their possession relating to specific communications regarding detainees and foreign persons suspected of terrorism.

DEFENSE ACQUISITION WORKFORCE

Committee on Armed Services: Defense Acquisition Reform Panel held a hearing on shaping a workforce for today's acquisition environment that can meet DOD's needs. Testimony was heard from Shay Assad, Director, Defense Procurement Acquisition Policy, Acting Deputy Under Secretary, Acquisition and Technology, Department of Defense; and public witnesses.

STUDENT AID AND FISCAL RESPONSIBILITY ACT OF 2009

Committee on Education and Labor: Ordered reported, as amended, H.R. 3221, Student Aid and Fiscal Responsibility Act of 2009.

MONETARY POLICY AND THE ECONOMY

Committee on Financial Services: Held a hearing on monetary policy and the state of the economy. Testimony was heard from Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System.

TOO-BIG-TO FAIL INSTITUTIONS

Committee on Financial Services: Held a hearing entitled ''Systemic Risk: Are Some Institutions Too Big to Fail and If So, What Should We Do About It?'' Testimony was heard from Alice M. Rivlin, former Director of OMB and CBO; and public witnesses.

ELECTRIC GRID SECURITY

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology held a hearing ''Security the Modern

Electric Grid from Physical and Cyber Attacks.'' Testimony was heard from the following officials of the Department of Energy: Joe McClelland, Director, Reliability, Federal Energy Regulatory Commission; and Patricia Hollman, Acting Assistant Secretary, Office of Electricity Delivery and Energy Reliability; Sean McGurk, Director, Control Systems Security Program, Department of Homeland Security; Cita Furlani, Director, Information Technology Laboratory, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

BRIEFING—NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY—SATELLITE IMAGERY

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment met in executive session to receive a briefing on the National Geospatial-Intelligence Agency (NGA) satellite imagery. The Subcommittee was briefed by departmental witnesses.

BRIEFING—DHS CIVIL LIBERTIES DISABILITY AND SPECIAL NEEDS POLICY TEAM

Committee on Homeland Security: Subcommittee on Management, Investigations, and Oversight met in executive session to receive a briefing on the DHS Civil Rights and Civil Liberties Disability and Special Needs Policy Team. The Subcommittee was briefed by Departmental witnesses.

AUTO INDUSTRY BANKRUPTCIES RAMIFICATIONS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law continued hearings on Ramifications of the Auto Industry Bankruptcies, Part II. Testimony was heard from Ron Bloom, Senior Advisor, Department of the Treasury.

Hearings continue tomorrow.

OVERSIGHT—FEDERAL BUREAU OF PRISONS

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held an oversight hearing on the Federal Bureau of Prisons. Testimony was heard from Representative Cardoza; Harley G. Lappin, Director, Federal Bureau of Prisons, Department of Justice; and public witnesses.

GRAND CANYON WATERSHEDS PROTECTION ACT OF 2009

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands held a hearing on H.R. 644, Grand Canyon Watersheds Protection Act of 2009. Testimony was heard from Madan M. Singh, Director, Department of Mines and Mineral Resources, State of Arizona; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 1738, Downey Regional Water Reclamation and Groundwater Augmentation Project of 2009; H.R. 2265, Magna Water District Water Reuse and Groundwater Recharge Act of 2009; H.R. 2442, Bay Area Regional Water Recycling Program Expansion Act of 2009; H.R. 2522, To raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project; H.R. 2741, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project; H.R. 2950, To direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District; and H.R. 1065, White Mountain Apache Tribe Water Rights Quantification Act of 2009. Testimony was heard from Mike Connor, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

TARP UPDATE

Committee on Oversight and Government Reform: Held a hearing entitled ''Following the Money: Report of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP).'' Testimony was heard from Neil M. Barofsky, Special Inspector General, Troubled Asset Relief Program.

STATUTORY PAY-AS-YOU-GO ACT OF 2009

The Committee on Rules: granted, by a non-record vote, a structured rule providing for consideration of H.R. 2920, the ''Statutory Pay-As-You-Go Act of 2009.'' The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

The rule waives all pointes of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. It provides that the amendment in the nature of a substitute printed in part A of the report, modified by the amendment printed in part B of the report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all pointes of order against the bill, as amended.

The rule makes in order the amendment in the nature of a substitute printed in part C of the report if offered by Rep. Paul Ryan of Wisconsin or his

designee. The amendment in the nature of a substitute shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute printed in part C of the report except those arising under clause 9 or 10 of rule XXI.

The rule provides one motion to recommit the bill with or without instructions. Finally, the rule provides that for purposes of the concurrent resolution on the budget, the amounts specified in section 421(a)(2)(A) and section 421(a)(2)(C) shall be considered to be those reflected in section 314 and section 316 of the House companion measure. Testimony was heard from Chairman Spratt and Representatives Ryan (WI) and Scalise.

MISCELLANEOUS MEASURES

Committee on Science and Technology: Subcommittee on Energy and Environment approved for full Committee action the following bills: H.R. 3246, Advanced Vehicle Technology Act of 2009; H.R. 3165, amended, Wind Energy Research and Development Act of 2009; H.R. 3029, to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle power general systems; and H.R. 3247, amended, To establish a social and behavioral science research program at the Department of Energy.

FEMALES IN SCIENCE AND MATHEMATICS

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on Encouraging the Participation of Female Students in STEM fields. Testimony was heard from public witnesses.

TRADE ADVISORY COMMITTEE SYSTEM

Committee on Ways and Means: Subcommittee on Trade held a hearing on Trade Advisory Committee System. Testimony was heard from Lisa A. Garcia, Assistant U.S. Trade Representative, Intergovernmental Affairs and Public Engagement, Office of the U.S. Trade Representative; Loren Yager, Director, International Affairs and Trade, GAO; and public witnesses.

BRIEFING—PAKISTAN NUCLEAR SECURITY

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Pakistan Nuclear Security. The Committee was briefed by departmental witnesses.

Joint Meetings

FEDERAL STATISTICAL SYSTEM

Joint Economic Committee: Committee concluded a hearing to examine the Federal Statistical System in the 21st century, focusing on the role of the Census Bureau, after receiving testimony from Vincent P. Barabba, Kings County Ventures and the Market Insight Corporation, Capitola, California; Barbara Everitt Bryant, University of Michigan, Ann Arbor; Martha Farnsworth Riche, Farnsworth Riche Associates, Trumansburg, New York; Kenneth Prewitt, Columbia University, New York, New York; and Charles Louis Kincannon, Board of Directors of Capitol Hill Village, William F. Eddy, Carnegie Mellon University, on behalf of the Committee on National Statistics, and Andrew Reamer, The Brookings Institution, all of Washington, D.C.

CYPRUS' RELIGIOUS CULTURAL HERITAGE

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine Cyprus' religious cultural heritage, after receiving testimony from Charalampos Chotzakoglou, Hellenic Open University and Museum of Kykkos Monastery, and Michael Jansen, both of Nicosia, Cyprus; and Klaus Gallas, Weimar, Germany.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 22, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the role of agriculture and forestry in global warming legislation, 10 a.m., SR–325.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the semiannual monetary policy report to the Congress, 10 a.m., SD–106.

Full Committee, to hold hearings to examine the nomination of Deborah Matz, of Virginia, to be a Member of the National Credit Union Administration Board, 3 p.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine advertising trends and consumer protection, 10 a.m., SR–253.

Full Committee, to hold hearings to examine the Children's Television Act for a digital media age, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 635, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 715, to establish a pilot program to

provide for the preservation and rehabilitation of historic lighthouses, S. 742, to expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia, to redesignate the unit as a National Historical Park, S. 1270, to modify the boundary of the Oregon Caves National Monument, S. 1418 and H.R. 2330, bills to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System, and H.R. 2430, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area, 2:30 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the nomination of Samuel D. Hamilton, of Mississippi, to be Director of the United States Fish and Wildlife Service, Department of the Interior, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Samuel Louis Kaplan, of Minnesota, to be Ambassador to the Kingdom of Morocco, James B. Smith, of New Hampshire, to be Ambassador to the Kingdom of Saudi Arabia, Kenneth E. Gross, Jr., of Virginia, to be Ambassador to the Republic of Tajikistan, Miguel Humberto Diaz, of Minnesota, to be Ambassador to the Holy See, Fay Hartog-Levin, of Illinois, to be Ambassador to the Kingdom of the Netherlands, and Stephen J. Rapp, of Iowa, to be Ambassador at Large for War Crimes Issues, all of the Department of State, 9 a.m., SD–419.

Full Committee, to hold hearings to examine foreign aid and development in a new era, 2:30 p.m., SD–419.

Committee on the Judiciary: to hold hearings to examine job creation and foreign investment in the United States, focusing on assessing the EB–5 Regional Center Program, 10 a.m., SD–226.

Subcommittee on Crime and Drugs, to hold hearings to examine metal theft, focusing on law enforcement challenges, 2:30 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine the nominations of Raymond M. Jefferson, of Hawaii, to be Assistant Secretary of Labor for Veterans' Employment and Training, and Joan M. Evans, of Oregon, to be an Assistant Secretary of Veterans Affairs for Congressional and Legislative Affairs, 10 a.m., SR–418.

House

Committee on Appropriations, to mark up the Defense appropriations for fiscal year 2010, 9 a.m., 2359 Rayburn.

Committee on Armed Services, Subcommittee on Military Personnel, hearing on oversight of family support programs, 2 p.m., 2212 Rayburn.

Committee on Financial Services, hearing entitled ''Regulatory Perspectives on the Obama Administration's Financial Regulatory Reform Proposals,'' 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''TARP Oversight Warrant Repurchases and Protecting Taxpayers,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on IRAN: Recent Developments and Implications for U.S. Policy, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, executive, briefing on the Federal Protective Service's ability to protect Federal facilities, 2 p.m., 302 HVC.

Subcommittee on Border, Maritime and Global Counterterrorism, to mark up the following bills: H.R. 1517, To allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service; H.R. 1726, Border Security Search Accountability Act of 2009; and H.R. 3239, To require the Secretary of Homeland Security, in consultation with the Secretary of State, to submit a report on the effects of the Merida initiative on the border security of the United States, 10 a.m., 3112 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to continue hearings on Ramifications of the Auto Industry Bankruptcies, Part II, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, hearing on Over-Criminalization of Conduct/Over-Federalization of Criminal Law, 3 p.m., and to mark up H.R. 3245, Fairness in Cocaine Sentencing Act of 2009, 3:15 p.m., 2237 Rayburn.

Committee on Natural Resources, to mark up H.R. 2499, Puerto Rico Democracy Act of 2009, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Domestic Policy, hearing entitled ''Arbitration or 'Arbitrary': The Misuse of Mandatory Arbitration to Collect Consumer Debts,'' 2 p.m., 2154 Rayburn.

Committee on Rules, to consider the Transportation, Housing and Urban Development and Related Agencies Appropriations Act, 2010, 3 p.m., H–313 Capitol.

Committee on Small Business, hearing entitled ''Meeting the Needs of Small Businesses and Family Farmers in Regulating our Nation's Waters,'' 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on The Congressional Vision for a 21st Century Union Station: New Intermodal Uses and a New Union Station Livable Community, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on Enforcement of VA's Brachytherapy Program Safety Standards, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on National Intelligence Strategy, 1:30 p.m., 304–HVC.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Department of Defense Human Intelligence, 4 p.m., 304–HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 22

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 1390, National Defense Authorization Act, resume consideration of Thune Amendment No. 1618, and after a period of debate, vote on or in relation thereon at 12 noon. Also, Senate will convene as a Court of Impeachment in the trial of Samuel B. Kent, and conduct a live quorum call at 2 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 22

House Chamber

Program for Wednesday: Consideration of H.R. 2920—Statutory Pay-As-You-Go Act of 2009 (Subject to a Rule).

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