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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 15, 2009.

I hereby appoint the Honorable JACKIE SPEIER 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.

REBUILDING AND RENEWING AMERICA

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

Mr. BLUMENAUER. Madam Speaker, these times demand that Congress and the administration do more than one thing at a time, health care, energy, dealing with the economic downturn and near financial meltdown inherited by the new administration. One challenge needs more attention, rebuilding and renewing America.

Our fraying infrastructure has been a growing problem for years. The American Society of Civil Engineers has rated our overall infrastructure with a grade of ''D'' and has done so repeatedly. It is one of those rare, important issues that actually unites people rather than dividing them.

Water and transportation investments are overwhelmingly supported by the public across the board from coast to coast. And a majority of Republicans, Democrats and independents would increase their taxes to get this job done.

Rebuilding and renewing America will make a huge difference in both the economy and the everyday quality of life of Americans. The economic recovery package that we passed early in the year was an important step to stop the economic free fall. I would hate to think what my State of Oregon would be facing without the $6 billion for education, health care, unemployment and infrastructure. It was very important for the State of Oregon and for States across the country, important but not enough.

The perfect next step is to reauthorize and fund the next transportation bill, which expires in 15 days. Our Transportation and Infrastructure Committee has been hard at work. They have developed a great outline for the new legislation.

But the highway trust fund that would fund that new vision faces a significant shortfall. Our recent stopgap efforts to plug the hole just adds to the long-term deficit without the certainty that communities and contractors require to start needed big projects.

In the short term, the House should come together, work with the Senate and pass a short-term extension of 4 to 6 months that will allow us to get the reauthorization and the funding in order.

In the meantime, every Member ought to take advantage of this opportunity to involve people back home in this critical discussion. People from the private sector, from their local Chamber, contractors, unions, the local community leadership, all being part of this movement to rebuild and renew America.

This is the fastest way to get the economy on track, to improve the environment, put people to work and make our communities more liveable, our families safer, healthier and more economically secure.

GET HEALTHCARE DONE RIGHT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER) for 5 minutes.

Mrs. MILLER of Michigan. Madam Speaker, the American health care system is clearly in need of reform. Yet at the same time our system of health care continues to be the envy of the world in producing life-saving innovations in the pharmaceutical industry, in medical procedures and in treatment.

Congress certainly must act to help bring down costs and expand access to health insurance, while preserving the quality of care patients receive in this great, great Nation. I have heard many of my Democratic colleagues, and certainly the President, speak about the need to increase competition in the health insurance marketplace to help reduce costs, and I could not agree more.

But where I part company with my Democratic colleagues is in their prescription for the problem. The way they want to increase competition is to create a new government insurance company, better known as the public option, to provide this competition. They have demonized insurance companies in an effort to build support for this misguided plan, even though recent public opinion surveys have shown that over 80 percent of Americans are satisfied with their current plan. My concerns with the public option, which

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are shared, I think, by huge amounts of Americans, is that it would have an unfair advantage that could crowd out private health care, and it would put huge new costs on the American taxpayers.

For months the President has said if you like what you have, you can keep it. Then just last week, the President changed that and he said, instead, there is nothing in this bill that would force you or your employer to change what you have.

Well, it may be true that nothing will force you or your employer into the public option, but the bill before the House has perverse incentives to encourage your employer to do just that. The bill mandates individuals to purchase insurance, and it requires large employers to provide care for their employees. Businesses that do not provide health care insurance will be taxed at 8 percent of their payroll as a penalty, and most employers will tell you that health care costs typically run about 14 to 16 percent of their payroll.

So businesses that are struggling to make ends meet will now face a choice, either continue to pay 15 percent of their payroll to provide coverage for their employees, or just dump them out onto the public plan and take the 8 percent penalty. Well, that is a pretty easy business decision to make. Unfortunately, it has very broad implications for their employers, and I believe this Nation will go to a government-run health care plan very, very quickly as a result of that.

Madam Speaker, there is a better way to reduce the cost of insurance at virtually no cost to the government, and that is to simply allow individuals and businesses to purchase health care insurance across State lines. Lifting this restriction would bring hundreds, if not thousands, of new competitors into the private marketplace to compete for business. This would absolutely reduce costs, and it's a simple change which we can enact immediately.

The President actually made an analogy to private auto insurance, and I would respectfully remind the President that auto insurance can be purchased across State lines, and there is no public option in auto insurance. The market regulates itself to keep costs down.

Additionally, millions of Americans today have their health care covered by a health savings account. If H.R. 3200 is enacted, health savings accounts will be gone and those who utilize them will be forced to change their coverage. So, again, this is actually less choice and less competition in the health care industry.

I was very glad last week when the President said he would look at pilot programs with regard to medical liability reform. For too long, trial attorneys have looked at doctors as ATM machines and have filed countless frivolous lawsuits.

This has driven up costs by forcing insurance companies to settle because these suits cost too much to fight, regardless of their merit, and the costs are passed along to doctors in the form of higher premiums and ultimately higher health insurance costs to consumers. It has also made it very difficult for specialty doctors like OB/GYNs to practice, and it limits access, particularly in rural areas.

Many States have enacted caps on noneconomic damages. And in every place where this has happened, doctors have moved in, lawyers have moved out, and costs have gone down.

So I was very disappointed when the President said over the weekend that he doesn't believe caps work. Respectfully, Mr. President, actually, caps on noneconomic damage is medical liability reform.

Madam Speaker, the American people are rightfully concerned about how any reform will impact out-of-control Federal spending and our exploding Federal deficit. It just stretches credibility when people are told that we can create a public option, expand access and availability of care, and we can do so without dramatically increasing taxes or adding to the Federal debt.

Well, you can't get something for nothing, particularly when the government is involved. And many seniors find it difficult to believe that we can pay for some of this by reducing spending on Medicare by $600 billion and more and not impact their level of care.

The proponents say these cuts are just waste, fraud and abuse. Well, if there is that much waste, fraud and abuse, we should be attacking that.

Madam Speaker, we can do better. And, for the sake of the American people, we must do better.

CHILDREN AND EMPLOYMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Madam Speaker, I rise to introduce the Children's Act for Responsible Employment, better known as the CARE Act.

This month, millions of children across the country are returning to school. After meeting their teachers and reconnecting with friends, they will launch headlong into their studies. Absent from our Nation's classroom, however, will be thousands of children who, instead of going to school, will be working in the fields and orchards of our country. These are not children of local farmers, but hired hands who travel from crop to crop to help their families make ends meet.

These children who help put food on their table start school late and continue to work long hours, leaving them little time or energy to do their homework. If previous years are any guide, some of these students will miss 1 out of every 6 days of school.

The results are predictable. Studies show that 50 percent of youth who regularly perform farm work drop out of school. The consequences of this high drop-out rate are tragic.

In addition to these children being deprived of educational opportunities, which could help them escape a lifetime of being stooped over in the hot sun picking fruits and vegetables, it deprives our country of the talents and potential contributions of these young children.

Adding to their heartbreaking circumstances is the fact that many of our labor laws do not protect them equally. Not only do they earn subminimum wages, but under current law the children of agriculture are allowed to use hazardous farm equipment and work in an environment that continually exposes them to poisonous pesticides, which can lead to serious injury or even death.

These dangerous and exploitive conditions, which are illegal for children in every other industry, simply do not reflect the precious value we Americans place on children. I am introducing the CARE Act to reflect our value.

The CARE Act raises labor standards for farm worker children to the same level as those for children in all other occupations. Specifically, the bill raises the minimum age for working in agriculture to 14 and restricts children under 16 from working when it interferes with their education or endangers their health and well-being.

The CARE Act also prohibits children under the age of 18 from agricultural work that the Department of Labor has specified as particularly hazardous. This is consistent with current law governing all industries outside of agriculture.

The CARE Act also requires employers to document the injuries, illness and deaths of these young people. This documentation will enable the Department of Labor to monitor and protect children working in agriculture from exploitation and dangerous work conditions. And, finally, to help ensure compliance with the bill's protective measures, the CARE Act sets a minimum fine of $500 for child labor violations and a maximum fine of $15,000.

Madam Speaker, it is our moral obligation to do all we can to protect the rights, the safety and the educational future of our most precious resource, our children. The CARE Act is a positive step toward meeting that obligation.

I urge my colleagues to cosponsor and help pass the Children's Act for Responsible Employment, known as the CARE Act.

□ 1045

EXAMINING THE PRESIDENT'S CLAIMS ON HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from

North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Madam Speaker, in a recent article, conservative commentator Thomas Sowell, an African American, examined some of President Obama's claims about the health care legislation moving through the Congress. I wanted to quote some excerpts from his column that I found insightful.

Sowell writes that in his joint address to Congress, President Obama is wrong about the spending levels of his health care reform. Sowell says:

''To tell us, with a straight face, that he can insure millions more people without adding to the already skyrocketing deficit, is world class chutzpa and an insult to anyone's intelligence. To do so after an analysis by the Congressional Budget Office has already showed this to be impossible reveals the depths of moral bankruptcy behind the glittering words.''

Sowell continues along this accounting line by addressing the issue of paying for the health infrastructure implied in the President's health reform plan. He writes:

''Even those who believe that Obama can conjure up the money by eliminating 'waste, fraud and abuse' should ask themselves where he is going to conjure up the additional doctors, nurses, and hospitals needed to take care of millions more patients.

''If he can't pull off that miracle, then government-run medical care in the United States can be expected to produce what government-run medical care in Canada, Britain and other countries has produced—delays of weeks or months to get many treatments, not to mention arbitrary rationing decisions by bureaucrats.''

Sowell later draws a parallel to the difference in the words and deeds of President Obama in other areas of policy. He writes:

''Obama can deny it in words but what matters are deeds—and no one's words have been more repeatedly the direct opposite of his deeds—whether talking about how his election campaign would be financed, how he would not rush legislation through Congress, or how his administration was not going after CIA agents for their past efforts to extract information from captured terrorists.

''President Obama has also declared emphatically that he will not interfere in the internal affairs of other nations—while telling the Israelis where they can and cannot build settlements and telling the Hondurans whom they should and should not choose to be their President.''

Then Sowell writes that:

''President Obama tells us that he will impose various mandates on insurance companies but will not interfere with our free choice between being insured by these companies or by the government. But if he can drive up the cost of private insurance with mandates and subsidize government insurance with the taxpayers' money, how long do you think it will be before we have the 'single payer' system that he has advocated in the past?

''Mandates by politicians are what have driven up the cost of insurance already. Politicians love to play Santa Claus and leave it to others to raise prices to cover the inevitable costs.''

Sowell concludes by noting that no manner of lofty rhetoric about certain policies not coming to pass will convince many Americans that those same policies will not in fact occur because of the intrusive nature of government-run health care. As Sowell says:

''Barack Obama's insistence that various dangerous policies are not in the legislation he proposes sounds good, but means nothing. Unbridled power is a blank check, no matter what its rationale may be. No law gave the President of the United States the power to fire the head of General Motors, but TARP money did.''

Furthermore, in the bill, an analysis of the bill by objective agencies tell us that the Democrats' health care bill would increase the Federal deficit by $239 billion over 10 years. The bill includes $1.2 trillion in new Federal spending over the next 10 years.

The Democrats' bill spends so much that it needs 8 years of higher taxes to finance just 6 years of spending. The Democrats embedded an automatic tax increase in their bill by doubling the 1 percent and 1.5 percent small business tax in 2013, continuing their revenue grab from small businesses. 4.7 million jobs could be lost as a result of ''pay or play'' taxes on small businesses.

The prescription of a health care bill from the Democrats and the President is wrong, and we need to do everything we can to stop it.

CHOOSING HEALTH CARE REFORM

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

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today because in the Sturm und Drang of the health care debate, the voices and stories of real Americans have been drowned out, drowned out by misinformation, fear mongering and just outright demagoguery.

If we listen to those stories, we would hear of families struggling to pay dramatically increasing health care costs. We would hear of individuals denied coverage due to a previous existing medical condition. And we would hear of employees left without a choice of health care insurance providers. It is time we heard their voices.

In my district, the wealthiest in the Nation as measured by median household income, families are struggling with the rapid increase in health care costs. Recently I met with a family of four from Fairfax County whose health insurance premiums rose from 2001 at $4,000 per year to 2009 at $18,000 per year. Let me repeat that. In the space of 7 years, their costs went from $4,000 a year for health insurance premiums to $18,000. That is a 450 percent increase, Madam Speaker. In the same time period, coincidentally, the profits of the 10 largest insurers in this country rose 428 percent.

In fact, over the past decade, the average health insurance premium has almost doubled, increasing nearly three times as much as wages. And they are still rising. Health insurance premiums are anticipated to increase 10.5 percent this year. This means a projected increase next year of almost $2,000 for the family I met.

So while the insurance companies reap the benefits of a failing system, millions of families across the Nation, just like this family in Fairfax with whom I met, are waking up every day worrying how much longer will they be able to afford to protect their families with health care insurance.

And what, Madam Speaker, of the millions of Americans with previous existing conditions? Gall stones. Rheumatoid arthritis. Diabetes. Asthma. High blood pressure. Even severe acne has been described as a previously existing by some health insurance companies. In fact, 45 percent of all of us who have health insurance have a previous existing medical condition, and, if we are lucky to live long enough, virtually all us will end up with a previous existing medical condition and at risk of not being covered by our health insurance providers.

If you have a previous existing condition, insurance companies will often either deny coverage for that specific ailment, or worse, drop you altogether. Millions of Americans face this every year. Millions find they are not insured. Who is listening to their voices?

Madam Speaker I know of a young paraplegic, the victim of a virus that attacked his spinal column and therefore frequently has medical complications. He went to five insurance companies looking for coverage. He knew he was a greater health care risk and he was prepared to pay a higher premium for that risk. What he wasn't prepared for was that all five insurers denied him coverage at all. No health care coverage whatsoever. Due to a previous existing condition, he had no chance for insurance. And he is not alone.

That is why we must ensure that insurance companies end the practice of cherry-picking only healthy individuals and denying coverage for previous existing conditions.

Those Americans that are currently covered by health insurance often lack true choice in providers. Health insurance operates through risk pools. The larger the pool of people paying insurance premiums, the greater the insurance company can balance the risk of having to pay out for the sake of the injured. Unfortunately, between 2007 and 2008, the number of uninsured among the 18–34 age bracket, traditionally the healthiest group in our society, increased by 630,000, or 3.5 percent.

In other words, younger people were less covered by health insurance in that time period. Those of us remaining in the health pool paid more as a result for our insurance premiums.

When taking on new customers, insurance companies often have been far more willing to provide affordable coverage to larger groups. But even a company with 1,000 employees represents only a small number of overall customers, which is why most workers who have employer-provided insurance have the option of just one or two insurance providers. That is not competition.

For those working for a small business, the options are even fewer. Now, only 43 percent of all small businesses in America offer health insurance to their employees because they can't afford it. As health care premiums continue to rise, more and more companies drop coverage and more and more Americans find themselves without health care coverage.

So what happens to those Americans, Madam Speaker, whose jobs no longer provide insurance? What happens to those Americans who are self-employed or working part-time? Their voices have been drowned out in this debate, and I think it is time we heard from them.

ON THE ONE-YEAR ANNIVERSARY OF THE LEHMAN BROTHERS BANKRUPTCY

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

Mr. STEARNS. Madam Speaker, one year ago yesterday, a major investment bank, Lehman Brothers, declared bankruptcy, a move which sent the Dow Jones tumbling 500 points and simply led to a chain of events in which the Federal Government nationalized AIG with a $189 billion bailout. The American auto industry asked Congress to authorize help, hundreds of billions of dollars, to bail out them. Banks did the same thing. Private institutions across this country asked for support.

Today, just 1 year later, our Federal Government is in control of practically every sector of our economy, having spent almost $800 billion or 5 percent of our GDP on a stimulus package that was pork-laden and is still working to create jobs and boost this economy. And, most alarmingly, nothing has been done to cure the culture of bailouts that our government, with the help of the Federal Reserve, has continued to perpetuate. Bailout after bailout is not a strategy for economic recovery.

My colleagues, we are at a critical point in our Nation's economic history. Financial regulatory reform proposals are being discussed here in Congress and across this country. We all agree that reform is certainly needed, but, unfortunately, the plan put forth by the Obama administration is not the kind of reform that will put an end to this culture of bailouts, nor will it bring transparency to the opaque and ever, ever expanding Federal Reserve. In fact, it does just the opposite.

In June of this year, Treasury Secretary Geithner unveiled the administration's plan for financial regulatory reform, and the cornerstone of the proposal is centered on ceding vast new powers to the Federal Reserve as a means of preventing future financial crises. But this overreliance on the Federal Reserve is unwise.

History shows us that in times the Fed saved us from one crisis, it inadvertently instigated another one. In 1913 when the Fed was founded, it was intentionally set up to serve as an institution that could help cushion the blow when banking crises occurred. However, the problem with an institution that is designed to insulate banks from the consequences of their own poor investment decisions is that it also inadvertently encourages these same banks to keep taking unwise risks, thereby laying the groundwork for a vicious cycle of bailout after bailout.

In fact, every time there is a potential financial crisis, the Federal Open Market Committee quickly cuts short-term interest rates. These cuts have become larger over time, as evidenced by our current zero percent interest rates. And, more importantly, these cuts essentially function as a bailout to those banks that have run into financial problems. Banks know they can count on the Fed to lower interest rates during times of financial distress, and markets know the Fed is always prepared to provide loose credit to financiers facing big losses.

Now, what lessons have the banks learned from the financial crisis? The truth is that if they get into trouble, the Fed will be there to lend unlimited amounts of money at extremely low interests rates. So where is the motivation then for curbing risky investment behavioral by these banks? The only one on the proverbial financial hook under a current Federal bailout system is you, the taxpayer.

Yesterday, President Obama gave a speech on financial reform at Federal Hall on Wall Street. Ironically, Federal Hall is where the founders of our great Nation once bitterly argued over how much the government should control the national economy.

In his speech, the President warned Wall Street that they shouldn't ignore the lessons from the past financial and current financial crisis. They shouldn't become complacent and expect future bailouts. Yet the financial regulatory reform, the plan the President's administration is putting forth, calls for expanding the powers of the Federal Reserve, and the Fed is essentially a bailout machine for the financial sector. Clearly there is a discrepancy between the President's rhetoric and the reality of the policies.

In 55 B.C., the great Roman statesman Cicero wisely said, ''The budget should be balanced, the treasury should be refilled, public debt should be reduced, the arrogance of officialdom should be tempered and controlled, and assistance to foreign lands should be curtailed, lest Rome become bankrupt.''

My colleagues, looking back on the one-year anniversary of the Lehman Brothers bankruptcy, we would do well to heed Cicero's advice and seek out financial reform policies that will steer us away from the practice of bailouts and the policies that will bankrupt future generations. My colleagues, America is too great a country to not learn from its past mistakes.

RECESS

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

Accordingly (at 10 o'clock and 59 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

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

Lord God, may this fall session of the 111th Congress be shaped in timely fashion by divine providence so that You are glorified in Your creatures.

Make the Members of the House of Representatives ready to receive Your holy inspiration and open to colleagues who have a mutual and accountable vision for this country.

This is the season for the seeding of a strong annual growth not to be seen until the cloak of winter is lifted. The bright colors of this fermentation will soon splash against our mountains and touch roadsides with the natural resemblance of dying.

Yet, Lord, we pray that autumn's full splendor may so captivate national attention that daily photos of what is happening will trace only Your steady cycle at work, and we hardly notice personal gain and partisan advantage fall to the ground like falling leaves.

We place all our trust in You, Lord of the harvest and the ages.

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 one, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr.

BUTTERFIELD) come forward and lead the House in the Pledge of Allegiance.

Mr. BUTTERFIELD 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.

SECURE OUR NATION'S TECHNOLOGY INFRASTRUCTURE

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, one of the greatest threats to our national security is the vulnerability of our Nation's technology infrastructure.

In this age where everything is becoming wired, computers oversee our bank accounts, military system, electric grid, communication systems, dams and power plants, air traffic control systems, and countless other vital parts of our society. These systems are attacked every single day. The fact is one of these systems is likely being attacked right now.

The President has said that securing our Nation's networks is a priority for his administration. However, I am concerned that, while Congress was away in August, two of our government's top cybersecurity officials resigned, and we still have no cybersecurity coordinator within the White House.

We must regain focus, fill these vacant high-level positions and implement a plan to secure our networks before an attack does irreparable harm to our Nation.

TWO REFORM AMENDMENTS

(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, during the August recess, I held four of the largest townhalls in the history of South Carolina: 1,700 in Columbia; 1,500 in Lexington; 1,500 in Beaufort; and 1,200 in Hilton Head. These were passionate events, full of honest patriots, and nearly 95 percent want us to work together for health insurance reform but not for a government takeover. During these events, I explained two health care bill amendments which were adopted.

The first was to exempt and protect TRICARE from the proposed mandates already included in the bill. TRICARE serves 9.4 million active duty members, National Guard and Reserve members, veterans, their families, and survivors. The second amendment urges Members of Congress who vote in favor of a government-run option to enroll in the program themselves. If it's good enough for the American people, it's good enough for Congress.

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

THE VIETNAMESE GOVERNMENT MUST STOP DENYING THE RIGHTS OF THEIR PEOPLE

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on September 3, the Vietnamese police arrested blogger Nguyen Ngoc Nhu Quynh.

This arrest followed an earlier arrest of two other Vietnamese bloggers. Fortunately, Quynh was released on Sunday. However, there was one condition for her release, and that was that she had to stop blogging. In order to be released from jail, she had to give up her freedom of expression, and I believe this is unlawful and is absolutely unacceptable.

The Vietnamese Government continues to deny their people's fundamental rights, and this must be stopped. Vietnamese citizens have the right to advocate their views whether it's on the Internet or in public protest.

For that reason, I have introduced House Resolution 672, calling on the Government of the Socialist Republic of Vietnam to release these imprisoned bloggers and to respect Internet freedom. I urge my colleagues to cosponsor House Resolution 672.

GAZA STUDENTS AND THE HOLOCAUST

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

Mr. PITTS. Mr. Speaker, in Gaza and the West Bank, the U.N. Relief Works Agency operates hundreds of schools, many of them controlled by Hamas-approved teachers' unions. When the U.N. considered adding the Holocaust to the history curriculum, Hamas wrote a vicious letter, denying the events and refusing to let their children hear about one of the most well-documented, horrific events of the 20th century.

Sadly, in typical fashion, U.N. officials have backed off their pledge, effectively ceding control of curriculum to Hamas.

It is hard to imagine that there can be a lasting peace agreement in the Middle East when the party that controls the Gaza Strip steadfastly denies even well-known facts. Hamas teaches the children of Gaza outrageous lies about Israel; and, unfortunately, the U.N. does little to combat this disinformation and hate speech.

It is far past time for the U.N. to take a stand against the hatred of Hamas extremists by ensuring that history is no longer distorted. Peace will only come when the children of Gaza are no longer taught that Israel has no right to exist.

IT IS TIME TO CHANGE OUR HEALTH CARE SYSTEM

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

Mr. KAGEN. Mr. Speaker, I rise today to speak out in favor of my constituents, like Jim from Green Bay, who says that every citizen should have health care: I have no insurance. I'm 60 years old.

It is time to fix that problem in a bipartisan way.

I am speaking out today for Sally from Kaukauna, who says: Our prescriptions cost $1,000 a month. This is a very big issue for our family.

Well, Sally, hope is on the way. We have to pass legislation that allows the people to negotiate for lower prescription drug costs, to guarantee that if you're a citizen you should be in the risk pool, and insurance companies, well, they ought to be processing paper, not practicing medicine.

It is time to change our health care system and to move towards a market-based system that really works for everybody and that guarantees for every citizen that, if they have an opportunity, they should have it at the lowest price. Every business entity should show us their prices and then accept as payment in full the lowest price that is accepted from anybody else.

HONORING THE ACHIEVEMENTS OF AMERICAN TENNIS PLAYER MELANIE OUDIN

(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, I rise today to honor the tremendous achievements of 17-year-old American tennis player Melanie Oudin.

Melanie was born on September 23, 1991, in Marietta, Georgia, where I reside; and she captured the heart of America with her inspiring performance at the 2009 United States Open.

Melanie entered the United States Open as the youngest player in the top 100, numbered 67—the number three American behind Serena and Venus Williams. This was Melanie's second U.S. Open, and she played incredibly well. Melanie ousted the number four seed, the number 13 seed and the number 29 seed before losing in the quarterfinals to the number nine player. This series of wins comes on the back of her performance at Wimbledon this summer where she made the fourth round.

Melanie's sneakers, pink and yellow with the word ''believe'' stamped on the heel, sum up her attitude about life and sports, and she has shown all of us what can be achieved if you only work hard enough.

I know that I and the other residents of Marietta, Georgia, are proud to call her one of our own; and we look forward to watching her continued rise in the sport of tennis and in life.

APPLAUDING CONGRESS FOR ITS PASSAGE OF THE AMERICAN RECOVERY AND REINVESTMENT ACT

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

Ms. MARKEY of Colorado. Mr. Speaker, I rise today to applaud the critical actions taken by this Congress to create jobs, to cut taxes, and to invest in America's long-term economic growth by passing the American Recovery and Reinvestment Act.

With the goal of creating and saving jobs, rushing relief to America's businesses and families and pulling our country back from the brink of catastrophe, the Recovery Act was signed into law by President Obama in my home State of Colorado.

As a member of the Transportation and Infrastructure Committee, I was especially pleased to see that the Colorado Department of Transportation was prepared with shovel-ready projects that would have an immediate and positive impact on the lives of Colorado's businesses and families.

Since the passage of the Recovery Act, 576 jobs have been created or sustained through transportation projects alone in Colorado. These jobs have created a payroll of over $700,000. Not only have these projects helped reduce unemployment, but they're improving the safety and efficiency of Colorado's highways. With interchange improvements and with the addition of shoulder and bike lanes, the Recovery Act is making Colorado a more multimodal and sustainable place to live.

PAYING TRIBUTE TO MARINE GUNNERY SERGEANT AARON KENEFICK

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

Mr. LEE of New York. Mr. Speaker, today I rise to pay tribute to Marine Gunnery Sergeant Aaron Kenefick, a Williamsville, New York, native who made the ultimate sacrifice earlier this month in Kunar province, Afghanistan.

Sergeant Kenefick followed in his grandfather's footsteps when he signed up for the Marines. Nothing made his grandfather prouder. He was twice named Marine of the Year, and was the Distinguished Honor Graduate at Fort Benning, assigned to Central Command. Just 2 days before he lost his life, Sergeant Kenefick earned a Purple Heart after being hit by shrapnel in a rocket attack.

I want to recognize the courage of Sergeant Kenefick's family: his father, Donnie; his mother, Susan; and his sisters, Jade and Jacquelyn, to whom he was extremely close. They will surely fill the coming days with stories about Aaron, including the Thanksgiving a few years ago when he was pushing to have dinner as quickly as possible because he wanted to get to the VA hospital.

He said, That's where the true heroes are.

Now Aaron stands firmly among our Nation's truest heroes. The example he has set and the sacrifices he has made will always be with us.

CONGRESS, LISTEN TO THE VOICES OF PASSIONATE AMERICANS

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

Mr. YARMUTH. Mr. Speaker, across the country, tens of thousands of passionate, boisterous Americans have come to townhall meetings to make their voices heard to Members of Congress.

I welcome that expression of concern. Those concerns have touched a wide range of issues, but there is a common theme running through all of them, and that is that people feel they are not being listened to. While I understand the frustration, I think, maybe, the source of their frustration is not understood. It is that, no matter how loud we scream, there is still a torrent of money that is pouring into the political system on the other side that drowns out those voices.

So, as we debate health care and energy and the reform of our financial system, I hope those same passionate Americans will talk to Congress about the need to reform our campaign finance system, about the need to create public financing so that their voices, as passionate and as intelligent as they may be, are not drowned out by the huge amounts of money that we now see in the political system.

I think this is the cause for the future as the Supreme Court debates a decision which could make this even more compelling need more salient. We need to deal with this important topic.

□ 1215

THE AMERICAN RESISTANCE MOVEMENT—PAGE 2

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

Mr. POE of Texas. Mr. Speaker, the American resistance movement has begun. It was seen in D.C. this weekend when over a million people came to show their displeasure with government. Their grievances: too much government spending, borrowing and taxing, too much bloated government, too much waste and irresponsibility in government.

This is not the 1960s violent antiwar protests led by radical draft-dodging college elites. These are families, working people, business owners, veterans, seniors and the backbone of the American spirit. These people have a stake in America and a concern about the future of a Nation they treasure and love.

Government beware, these people have engaged in that political fight and are not about to give their country away to those who want to run roughshod over their lives and force more government intrusion upon them. These people don't like the atmosphere that disagreement with government is frowned upon.

This American resistance is not going away. People will not be dismissed and intimidated by those whose only answer to their valid concerns is to say they are ''un-American.'' These Americans want government to listen, and we ignore them at our own peril.

And that's just the way it is.

HEALTH CARE REFORM

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

Mr. BUTTERFIELD. Mr. Speaker, the vast majority of American workers have private health insurance. If you are among those with health insurance, do you really know what you have or what you will have in 5 years? Unfortunately, many people do not understand the limits of their insurance until they get sick.

Without health care reform, insurance companies will continue to deny coverage or increase rates because of preexisting conditions. They will continue to drop people when they get sick or water down coverage when it's needed the most, and they will continue to set caps on the coverage in a given year or over a lifetime.

If you watch your current policy very closely, read the fine print, the American people will see that they are paying more and more for less and less. For Americans with health insurance, these reforms provide stability, affordability, security and peace of mind. Americans should not have to wait for reform.

Congress must get it done this year.

LISTEN TO WHAT REAL AMERICANS HAVE TO SAY ABOUT HEALTH REFORM

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

Mr. REHBERG. Mr. Speaker, after 16 listening sessions over August, I heard from thousands of Montanans about health care reform.

Today, I am here to report that away from the influence of powerful special interests and the spin of political operatives, this debate is very different. That's why it's so important to get out of Washington in order to hear Americans, our bosses, what they think.

We haven't yet seen a final bill in either the House or the Senate. Once we get a final bill, but before we vote on it, Congress should adjourn this body for 30 days, not for more vacation. Far from it, we need those days to return home to listen to what real Americans have to say about the new bill. Then we can vote.

Our children and grandchildren won't remember how fast we reformed health care. They will remember how well we fixed it.

HEALTH INSURANCE COVERAGE

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

Ms. HIRONO. Mr. Speaker, health insurance is not something we can take for granted. Every day, 14,000 Americans lose their coverage. A recent Treasury Department report noted that approximately half of all Americans under the age of 65 will lose their coverage at some point in the next 10 years.

Thousands are denied coverage because of preexisting conditions, like asthma, pregnancy, arthritis or diabetes. Millions more have no health insurance at all.

In Hawaii, public and private health insurance covers an estimated 92 percent of our population. That means that most of us have health insurance and, because of our Prepaid Health Care Act, our coverage is among the best in the country.

At the same time, Hawaii's economy has been hard hit, and our unemployment rate reached a 31-year high this past May, nearly doubling what it was just last year. Other States are similarly situated. H.R. 3200 will provide affordable health care coverage for those who lose it or never had it.

I urge my colleagues' support for health care reform now.

TAX INCREASE ON MIDDLE-INCOME WORKING AMERICANS

(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, as we debate the issue of health care, the administration late last Friday night did something that was 180 degrees from what was promised in last year's campaign. I am referring to a tax increase on middle-income working Americans.

Yes, last Friday night, the administration announced that there will be a 35 percent tariff on inexpensive tires coming in from China. The interesting thing is this was done in response to a petition from the steelworkers union without a single U.S. tire manufacturer signing on in support of this. In fact, they have even gone on so far as to say that if this 35 percent tax is imposed, they will not go into the business of actually manufacturing inexpensive tires.

So what does that mean, Mr. Speaker? It means that we will see not only a 35 percent tax increase on working Americans, but we will not see a single job created here in the United States of America.

We need to realize we also create the potential for great retaliation in a wide range of other areas. This decision is bad for the American worker and bad for the U.S. economy.

HEALTH CARE PREMIUM INCREASES

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

Mr. HALL of New York. Mr. Speaker, over the last few weeks, I have heard stories from businesses, nonprofits, individuals, and even health care providers in my district who have received health care premium increases up to 39 percent. These increases are unfair, unsustainable and crippling our economy.

These drastic increases are likely to continue as long as private insurers are allowed to regulate themselves. That's why we must vote soon on a comprehensive plan to improve health care, a plan that will reduce costs for the middle class, end insurance company abuses, and increase stable, quality care and access for all Americans.

We need to get reform done but get it right. We must keep listening and engaging with our constituents to ensure that reform will benefit all Americans. With health care premiums growing three times faster than wages, we can't afford to wait.

AMERICAN JOBS HURT BY PROPOSED HEALTH CARE LEGISLATION

(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, the American health care system is in need of reform, but the current proposals are not the solution the American public is looking for. The House health care plan will create a surtax on small business, the lifeblood of our economy, to help pay for the $1.5 trillion reform.

My constituent, Donald Dickey, is a small business owner and is already being forced to cut his workforce by more than 70 percent because of the current economy. Under the proposed health care reform bill, Donald says he will be forced to close his business because of the combination of the new surtax and requirements for employers to provide health coverage for all workers.

We need to work on commonsense solutions that encourage job growth, expand access to affordable health care, and give Americans the ability to choose a plan that fits their needs. I am willing to work with my colleagues to achieve those goals in a final bill.

STATE OF OUR ECONOMY

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

Mr. PASCRELL. Mr. Speaker, on a day after the President addressed this country on the need for regulatory reform in the financial sector, I stand before you to discuss the state of the economy. Unfortunately, my colleagues on the other side of the aisle fail to comprehend the inextricable connection between the economy and the need for comprehensive health care reform.

We must remember that the extraordinary rise in health care costs and insurance premiums has affected several segments of our economy. Surging health care costs slow the rate of job growth by making it more expensive for companies to add new workers.

As health care costs rise, corporate operating margins are cut, which reduces the capacity of firms to grow by investing in research, plant and equipment. Furthermore, high and escalating out-of-pocket costs are forcing families to delay mortgage payments on their homes.

Since enactment of the Recovery and Reinvestment Act, we have prevented the layoff of tens of thousands of teachers, police officers, and other essential public servants, and we have put people to work renovating schools and hospitals without one vote from the other side.

TORT REFORM WILL REDUCE HEALTH CARE COSTS

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

Mr. SMITH of Texas. Mr. Speaker, last week President Obama called for the administration to establish demonstration projects to measure the effectiveness of tort reform. But we don't need to demonstrate that tort reform works; we have already proved that in States where it has been enacted.

In my home State of Texas, for example, health care premiums fell by 30 percent. That means Texans pay less to have better health care and more options. According to a study by the Harvard School of Public Health, 40 percent of medical malpractice suits filed in the U.S. are without merit, 40 percent.

A Department of Health and Human Services study found that unlimited excessive damages add $70 billion to $126 billion annually to health care costs. These costs are then passed along to the patient in the price of health care.

Tort reform will reduce health care costs by tens of billions of dollars. We don't need to test tort reform; we need to enact it.

PEOPLE LIKE HEALTH CARE REFORM

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

Mr. INSLEE. Mr. Speaker, at my townhall meetings, I was amazed at

how much consensus there was about health care reform. People liked health care reform.

What they didn't like were things that are not actually in the bill. Because of the massive disinformation campaign on this bill, people didn't like things that weren't there.

There were more hallucinations about this from opponents of this bill than there were when Timothy Leary was doing business in Haight-Ashbury in the late 1960s. Take this hallucination that this bill is going to insure illegal immigrants. You look at page 132, it says, ''For purposes of this division, the term 'affordable credit individual' means, subject to subsection (b), an individual who is lawfully present in a State in the United States.''

Look at page 143, ''Nothing in this subtitle shall allow Federal payments for affordability credits on behalf of individuals who are not lawfully present in the United States.''

Now, the President was challenged during his joint address to the U.S. Congress. I will tell you what, if there was a deception, it wasn't by the President of the United States.

And it is time for us to call out those people who spread hallucinations, phantoms, boogeymen. People want health care and this reform. We are going to pass it.

SKYROCKETING NATIONAL DEFICIT

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

Mr. FLEMING. Mr. Speaker, the President has claimed that his policies are going to reduce the skyrocketing national deficit, but I would like to spend just a moment to debunk this myth.

Rather than reducing the deficit, the President's budget calls for a $9 trillion deficit over the next 10 years, 6 trillion higher than the CBO predicted just in January when he took office. Even according to the White House, the national debt will more than double in 10 years. The President's own numbers showed that the national debt will be 107 percent of GDP by 2019.

In the month of August, there were 14.92 million unemployed individuals looking for work, the highest number in history. Since February, when the Democrats passed their stimulus, 2.46 million people have lost their jobs.

And while the President promised that billions of dollars would go into shovel-ready construction projects that would help rebuild infrastructure and employ hundreds of thousands, transportation spending from the stimulus has only trickled out at a snail's pace.

Given this administration's track record, why wouldn't the American people be skeptical about $1.6 trillion for health care reform?

REFORMING HEALTH INSURANCE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, reforming health insurance must be our focus for now. The vast majority of Americans already have health insurance.

The question is, what does our health care reform bill mean to them? Just three things. It means an insurance company can no longer decide to deny any coverage or jack up your rates because of preexisting conditions. It means it will be against the law for insurance companies to drop your coverage when you get sick or water it down when you need it most. It also means insurance companies will no longer be able to place some arbitrary cap on the amount of coverage that you receive each year.

Mr. Speaker, it is time for the insurance companies to come to the table, spend the millions on corrective measures instead of spending millions to pass out these mistruths and falsehoods, and try to work this problem out. The American people deserve everyone working together to get decent health care reform for the people of this Nation, and they don't deserve all the misinformation that's going around out there.

□ 1230

HONORING THE LIFE OF PATROLMAN JERRY ALAN JONES

(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, I rise today to honor the life of Jerry Alan Jones, a police officer in my hometown of Charleston, West Virginia, who died tragically in the line of duty while chasing a suspect early Sunday morning. At just 27, Patrolman Jones truly exemplified what it meant to serve both his local community and as a citizen of our Nation. Before becoming a patrolman with the Charleston Police Department, he was a sergeant with the United States Marine Corps and helped to secure the Kandahar Airport when the U.S. military first went to Afghanistan after September 11. Back at home, he was active in his local church, where he met his wife, Samantha. The couple recently celebrated their first anniversary together. Today the city of Charleston mourns the loss of one of its finest. Patrolman Jones led a life to which we should all aspire. We mourn with his wife, Samantha, with his family, and we offer our prayers of comfort and remembrance.

I urge my colleagues to join me today in recognition of Patrolman Jerry Alan Jones, our friend, protector and hero, for his fearless courage in serving the citizens of Charleston and the entire State of West Virginia.

REMEMBERING MAESTRO ERICH KUNZEL

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

Mr. DRIEHAUS. Mr. Speaker, on September 1, we lost an artist who helped shape a generation of music in this country. For more than 40 years, Erich Kunzel shared his remarkable talent and passion with music lovers across greater Cincinnati and around the world. His tireless leadership and enthusiasm helped build the Cincinnati Pops into a musical organization without peer. Their many recordings over the years brought classical and contemporary masterpieces into the homes of countless Americans. Whether directing from his podium at Riverbend Music Center or leading the National Symphony Orchestra, as he did here in Washington every year on Memorial Day and the Fourth of July, Maestro Kunzel was a source of pride for Cincinnati and a mainstay of our Nation's musical community. He will be dearly missed by all of us whose lives were enriched by his boundless creativity.

AMERICA'S HEALTH CARE BILL

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

Mr. WELCH. Mr. Speaker, all of us had the opportunity to spend 5 weeks at home, listening to our constituents. And in Vermont, when I arrived home, such as with many of you, people were very fearful about a health care bill, a health care bill that was going to establish death panels, a health care bill where the government was going to select your doctor, a health care bill that would have as its primary beneficiaries illegal immigrants.

Of course, that is not a health care bill that anyone in this body is considering. But as we proceeded and pushed back on the misinformation, it became increasingly clear that the health care bill President Obama has outlined, which has been passed by three committees in this House to regulate insurance companies so that they offer real insurance, to extend coverage to 37 million Americans—something good for them but also for those of us with insurance, to reduce our cost shift premium of $1,100, and a public option to provide competition and choice—that is a health care bill that Americans support, and we must pass.

WE MUST ENSURE THAT THE UNITED STATES IS AT THE FOREFRONT OF THE ENERGY REVOLUTION

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

Mr. TONKO. Mr. Speaker, I rise today to continue to remind my colleagues about the energy crisis we are

experiencing in our country. While oil is currently trading at some $69.21 per barrel today, it was at $147 in July of 2008, when we all remember gas prices at over $4 a gallon. We must address our energy problems as we continue to address our economic problems. By doing so, we can ensure that while our economy recovers, we will be competitive and secure in the energy sector as well.

As such, I was pleased that my bill, H.R. 3165, the Wind Energy Research and Development Act of 2009, passed this body last week. I would like to thank my colleagues from both sides of the aisle for their support on my first piece of legislation that passed this full body. We must continue to promote energy efficiency, to drill and mine efficiency as we previously drilled for oil and mined coal. We must also enact policies that promote clean energy jobs and the deployment of renewables.

Finally, as my bill did last week, we must continue to invest in research and development to ensure that the United States is at the forefront of the energy revolution.

TOO MANY CRISES IN WASHINGTON

(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, it is so good to be back on the House floor, doing the people's work. But once again, I hear the word ''crisis'' used constantly—energy is a crisis, the health care crisis. When will this body deal with the problems in many cases created by government in a way that the American people can have the confidence that, in fact, we view problems as something which gets solved, and it gets solved by having the private sector able to do what it does best and the public sector doing only the minimum necessary?

When I hear my colleagues talk about how we have to make insurance companies do this or that, I recognize that we still don't get it. The crises are created in Washington, and we must change to help solve problems with the American people and not make everything a crisis to justify our pet projects.

WE NEED HEALTH CARE

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

Mr. ARCURI. Mr. Speaker, I spent the month of August and the first part of September traveling across my district in upstate New York, listening to my constituents in townhall meetings, tele-townhalls and one-on-one discussions in my office. I've listened to doctors, nurses, hospital administrators in order to build consensus on what my constituents want to see as part of a health care reform bill. I learned a lot during that time, and I heard stories that would make hearts break regarding denied coverage or loss of coverage because of preexisting conditions and catastrophic illness.

I have promised my constituents that I will keep listening until we have to go to vote on this bill. However, it is crucial to America's financial health that we pass comprehensive health care reform to rid the current system of rampant waste, fraud and abuse, like the inflated costs of prescription drugs. Our economy cannot sustain the high cost of our current system, and it is clear to me that the health care reform in this country is not just the moral imperative for those who don't have health care insurance, but it's also an economic imperative for those that do have health care insurance, to ensure that those individuals can continue the coverage that they have.

OVER 20 PERCENT OF AMERICANS BETWEEN THE AGES OF 18 AND 64 ARE UNINSURED

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

Mrs. MALONEY. Mr. Speaker, the Joint Economic Committee heard last week some very sobering findings from the latest Census data on health coverage. The number of Americans between the ages of 18 and 64 who are without health insurance increased significantly last year to over 20 percent. More than one of every five nonelderly adults lacked health insurance in 2008. Those millions are one accident, one major illness away from financial ruin. The majority of those uninsured adults without health coverage worked full time or part time.

At the same time, the share of employment-based health insurance declined significantly to 58.5 percent in 2008. The current expensive, inefficient and indifferent system is failing us. Americans deserve better, and we deserve it now.

CELEBRATING THE 15TH ANNIVERSARY OF THE VIOLENCE AGAINST WOMEN ACT

(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. Mr. Speaker, I rise today in recognition of the 15th anniversary of the Violence Against Women Act. I am so proud of the light that Congress shined on domestic violence 15 years ago this week, of the work that the dedicated staff and advocates have done for the past decade and a half, and of the bravery shown by victims and their families. For 15 years now, the Office on Violence Against Women has served as a safe haven for families everywhere. Through it, we have provided services and counseling during victims' darkest hours, emergency and transitional shelter in times of need, and legal assistance to help prosecute perpetrators.

Domestic violence is a scourge in this country, one that recognizes no income brackets, no race, no age. Earlier this week, I joined my constituents in Wisconsin for the fourth annual Brides Walk. We donned wedding dresses and marched through the streets of Milwaukee, calling attention to the violent murder of Gladys Ricart. Gladys was in the process of handing her bouquet to her maid of honor 8 years ago in New York when a former lover burst into the church and killed her in her wedding dress.

Domestic violence is not a private matter. Domestic violence against a partner or a child, whether physical or mental, is not okay. On this anniversary, I urge my colleagues to recommit themselves once again to ending this injustice in our country.

REAL COMPREHENSIVE HEALTH CARE REFORM IS A NECESSITY

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

Ms. KILROY. Mr. Speaker, like I've heard from many of my colleagues this afternoon, I also have been listening to constituents in my district throughout the recess and this past weekend about the issue of health care. After church services last Sunday, this is what I heard from one woman who worked for General Motors for 26 years, taking an early retirement a few years ago, thinking she was secure in her retirement: Now she's found that she has lost her investments and her 401(k) because of the GM bankruptcy, and also lost her health care.

She is a breast cancer survivor. Now she is not of the means to buy insurance. No insurance company will insure her because of this preexisting condition. Mr. Speaker, there are too many people in my district and across the country who cannot buy insurance because they are barred because of preexisting conditions. This is one of the many reasons why we need to take action on real comprehensive health care reform.

THE HEALTH CARE LEGISLATION WILL RESULT IN BETTER CARE WITH NO ADDITIONAL COST TO AMERICANS

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

Mr. HOLT. Mr. Speaker, the urgency of health care reform comes from the fact that overall, Americans are living sicker, dying younger, and paying more. Not just the poor, not just those without insurance, not just the unemployed. Overall, Americans are living sicker, dying younger, and paying more than they should or more than residents of other countries do. Just minutes ago I came from a meeting with

the heads of the American Medical Association, the American Nursing Association, and the American Hospital Association. Doctors, hospital administrators, nurses—not politicians. The clear consensus is that the health care legislation, as it is taking shape here in Congress, can be expected to result in better patient care while holding costs in check. Let me repeat, the legislation, as it is taking shape in Congress, can result in better care at no more cost for all Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

UNITED STATES POSTAL SERVICE FINANCIAL RELIEF ACT OF 2009

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 22

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 ''United States Postal Service Financial Relief Act of 2009''.

SEC. 2. GOVERNMENT CONTRIBUTIONS FOR POSTAL ANNUITANTS' HEALTH BENEFITS.

(a) IN GENERAL.—Clause (iii) of section 8909a(d)(3)(A) of title 5, United States Code, is amended to read as follows:

''(iii) $1,400,000,000, not later than September 30, 2009;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of section 803(a)(1)(B) of the Postal Accountability and Enhancement Act (Public Law 109–435; 120 Stat. 3251).

SEC. 3. TECHNICAL CORRECTION.

The heading for section 8909a of title 5, United States Code, is amended by striking ''**BENEFIT**'' and inserting ''**BENEFITS**''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Mr. 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 New York?

There was no objection.

Mr. TOWNS. Mr. Speaker, H.R. 22, the United States Postal Service Financial Relief Act of 2009, as amended, would permit the United States Postal Service to lower its 2009 payment into the retirement health benefit fund, $5.4 billion, reduce it to $1.4 billion. This bill does not provide any taxpayer funds to the Postal Service. In essence, H.R. 22 is intended to provide the Postal Service with some relief from its current financial crisis by lowering the amount of its 2009 payment due. The measure has been properly vetted and amended by the House Oversight Committee, in line with calls for a more fiscally responsible government. The bill, as amended, does not score.

The bill enjoys the support of 339 Members of the House from both parties. I would like to thank Representatives MCHUGH of New York and DAVIS of Illinois for introducing this bill and for their hard work and patience in navigating the bill through the House. Further, I would like to thank the House Democratic leadership and the Budget Committee for working with us to help advance the bill to the floor.

□ 1245

Also I would like to thank and recognize Chairman LYNCH of Massachusetts for his leadership on the subcommittee and being a tireless advocate for the postal service and all of its employees. Unfortunately, Chairman LYNCH could not be with us today, but his statement will be in the RECORD.

Additionally, I would like to thank the gentleman from California, Congressman ISSA, for his support and strong work on this bill. Also Congressman CHAFFETZ for his work as well. I would like to recognize them because this is truly bipartisan support for this important legislation, which I think is so important.

The United States Postal Service is regularly acknowledged to be among the most trusted of the Federal agencies in part due to the positive relationship that its approximately 625,000 employees develop with local communities. The postal service is often the only Federal presence in many of the urban and rural areas throughout the United States, and it is often the face of the Federal Government.

Yet despite the best efforts of its employees, the postal service faces financial challenges unlike at any other time. Mail volumes have declined at a record pace, falling by 7 million pieces during the third quarter of fiscal year 2009, 14.3, compared to the same period last year. In fact, volume continued to fall for all types of mail: first class, standard, periodical, and also package services. The postal service ended the third quarter ending in 2009 with a loss of $2.4 billion, its year-to-date net loss through the third quarter at $4.7 billion.

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

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

Mr. Speaker, the introduction of this bill on January 6, the first legislative day, was appropriate. This is a problem for an organization, the United States Post Office, which is, in fact, 15 times larger than General Motors. The United States Post Office is not only a constitutional obligation but, in fact, an organization which has existed for the service of the United States of America since our founding.

But since the 1970s, the United States Post Office has had a problem. The problem is our own success. Alternate efficiencies have reduced the need for the United States Post Office to deliver mail. Invoices, payments, and certainly many other emails instead of paper mails are being delivered electronically today. The United States Post Office is also suffering from a recession that we all are suffering under.

Therefore, the committee has worked on a bipartisan basis to recognize that we must reform the post office again. Having just passed the Postal Accountability and Enhancement Act in 2006, we are faced with another crisis; but rather than having that crisis lead to haphazard reductions, the chairman and I have worked together with Members on both sides of the aisle, as the chairman said, 339 cosponsors, to create a soft landing for the post office.

It will not be that soft, Mr. Speaker. It will, in fact, require that they accelerate the reduction in their force. It will require that they look at all costs and services. It will require without a doubt the closing of post offices around our Nation.

Mr. Speaker, as you know, these are difficult decisions. They are both financial and they're political. They impact the communities who have for so long allowed people to go to their corner post office to maintain a postal mailbox, to do other services. These services will be further away in the future.

So for that reason, although I would have preferred a major reform, I would have preferred that we were able to do some of these hard steps, I'm supporting an alternate course, one in which we use these last 2 weeks and only these last 2 weeks of the fiscal year to move this bill with a cost, as the chairman said, of zero because there is so little time left in the year. However, we are committed on this side of the aisle and I know the chairman shares this, to work with the postal service to find ways to reduce their costs, their overhead, and many of the legacy items that today make it difficult.

Mr. Speaker, I want to repeat something the chairman said because it's noteworthy for my conservative friends. The post office's money that we are talking about today is the money they have put aside. This is the only agency that works in this way. So

although this could have scored, it does not score, and although people will often say that we are being fiscal conservatives if we vote against this, the truth is the postal service operates within its own funds. The funds that will be used in H.R. 22 are their funds. Ultimately the American people will look to the post office to make the corrections. This committee on a bipartisan basis will oversee the post office to see that they come in line for the future so they continue to operate on their own revenue and not on any revenue provided by Congress.

So, Mr. Speaker, I hope my friends are listening. I hope this will go far behind the 339 cosponsors, and I hope that everyone on both sides of the aisle will put down their mark today to make sure that we commit ourselves working with the post office to do the necessary reforms so we will not be back here again in the same way next year.

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

Mr. TOWNS. Mr. Speaker, I would like to first yield 3 minutes to the gentleman from Missouri (Mr. CLAY).

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

Mr. CLAY. Mr. Speaker, I thank the chairman for yielding. I want to also thank the chairman and the ranking member as well as the House leadership for shepherding this bill to the floor.

This substitute amendment to H.R. 22 is sorely needed to partially relieve the U.S. Postal Service of an oversize payment of $5.4 billion to a Retiree Health Benefits Fund. The postal service under this legislation will pay $1.4 billion.

The postal service is suffering the same effects of this recession as the rest of the Nation. Without legislative relief, the postal service will default on a $5.4 billion payment due on September 30.

This bill is not a bailout, as no taxpayer funds will be provided to the postal service. The Postal Accountability and Enhancement Act required the postal service to prefund the cost of health care benefits for future retirees. No other government agency or private company is required to prefund retiree benefits on such an aggressive or ambitious schedule.

The postal service operates on revenues from sales of its products and services. The postal service has already embarked on cost-cutting estimated to be $6 billion in fiscal year 2009, by cutting work hours, freezing hiring, and closing administrative offices.

The postal service has paid $10 billion into the trust fund over the past 2 years, although it's suffered combined losses of $7.9 billion during that 2-year period.

This bill is in line with the actions of many large businesses, including their competitors, which have temporarily reduced or suspended payments for retiree benefits or pensions during the recession.

Again, I thank the chairman for yielding.

Mr. ISSA. Mr. Speaker, at this time it is my honor to yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ), a member of the committee.

Mr. CHAFFETZ. I want to thank Chairman TOWNS and I want to thank Ranking Member ISSA for the bipartisan support and effort to move this bill forward. It's an important piece of legislation.

H.R. 22 is needed to avoid a taxpayer-funded bailout to the United States Postal Service. The United States Postal Service is the only Federal entity required to prefund its pension and retiree health plans. H.R. 22 would enable the United States Postal Service to use its existing revenues that have been funded over the years through its own operations to pay for retiree health benefits as opposed to using this year's operating revenues.

While the United States Postal Service needs to continue to reduce costs, one of the impressive things that has happened is that they have reduced their workforce by 22 percent since 1999, a 22 percent reduction in their workforce since 1999, compared to a 13 percent increase in the Federal workforce in other parts of the government.

The main driver of the United States Postal Service debt has been the 2006 Postal Accountability and Enhancement Act's requirement to prefund 80 percent of its future retiree health benefit costs, a 75-year liability, in just 10 years. No other business or government entity in the United States does that. Had it not been for this prefunding, the United States Postal Service would actually have shown a profit, and that's why I think you see broad bipartisan support with 339 cosponsors on this bill in support of H.R. 22.

I encourage my colleagues on both sides of the aisle to support this so that we can avoid a taxpayer bailout that would be needed.

Finally, let me just mention the good men and women who work so hard, so diligently, that care so much. My hat's off to them for the good work that they do for this country and the United States Postal Service.

Mr. TOWNS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington, D.C. (Ms. NORTON).

Ms. NORTON. I rise with great thanks to our chairman and our ranking member, who worked so well together on this really essential bill.

Mr. Speaker, we have rescued a lot of private sector agencies, a whole slew of them. But here comes the postal service not asking for a bailout. Understand that we don't even subsidize the postal service, even though it is the only Federal agency mentioned in the Constitution. So it's a Federal agency we must have, mandated by the Constitution.

Yet alone among government agencies, if you want to consider an agency that funds itself out of its own revenue a government agency just because it's in the Constitution, alone the Postal Service is required to prefund its retiree health benefits. Not us, mind you. No Federal agency has got to do that. And how does the Postal Service prefund? From postal funds.

I don't think you need to read the papers every day to know what has happened to postal funds. These folks have had to put up $10 billion in prefunding in the past couple of years out of postal funds; yet this is a failing business. It's not a failing business because of its policies or practices. The Postal Service has been overtaken by the fax; overtaken by emails.

They're not like Wall Street, which went into a deliberate mode of greed. I don't care what kind of genius you are, you're going to have a hard time if you're the postal service, which must exist under our Constitution, to figure out how you're going to stay in business.

Yet in the past year alone, look at the kind of hits this institution has taken, not mandated by us: your mail carrier, almost 11,500; rural carriers, 753 gone; mail handlers, 2,938 gone. In the last 10 years, the postal service has lost 175,000 employees. Show me a business that is left standing, having taken those kinds of hits not because it's overspending but for reasons, some of which are beyond its control.

Now the chairman, the ranking member, the whole committee is on their case for even further cuts, but the American people are on our case to make sure that their mail keeps being delivered and that their trusted postal worker is always there.

□ 1300

We shouldn't ask more from the post office in prefunding retiree benefits at a time when I believe you could find nobody in the United States who is prefunding.

Mr. ISSA. Mr. Speaker, I yield myself 1 minute.

I would like to comment on the Delegate's statement because it is quite true. Just in the last approximately 18 months, we have added almost 200,000 net Federal workers on the Federal side. The post office is continuing to reduce its workforce, anticipating reducing its workforce by about 30,000, or more than 5 percent per year. We have to do better.

I look forward to working with the majority on finding ways that we can integrate more postal workers into other Federal opportunities so we can retain these good Federal servants, but at the same time right-size the post office.

Having said that, it is very clear, as Ms. NORTON said, that only the post office is really cutting itself in the Federal Government, and that is an unusual situation. They are right-sizing themselves, and I hope all of our Members will be sensitive that we have to right-size them at a rate that allows our high quality service to continue.

Mr. TOWNS. Mr. Speaker, I yield 2 minutes to the gentlewoman from New

York (Mrs. MALONEY), a member of the committee.

Mrs. MALONEY. Thank you, Chairman TOWNS, for yielding and for your leadership on this important issue and in so many other areas, and I thank the ranking member.

This bill actually saves taxpayers money. This is not a bailout as we have seen before this Congress many times. No taxpayer funds will be provided to the postal service. The service operates on revenues from sales of its products and services, and it receives appropriations only in reimbursement for free services for the blind and other services.

The post office remains the only government agency or private company that is required to prefund retiree benefits on such an aggressive schedule. The fund now currently contains over $32 billion.

This amendment to H.R. 22 will lower the payment for 2009 to a level that is close to that recommended by the IG, and it will prevent the post office from defaulting on a $5.4 billion payment due on September 30. Even with the lower payment for 2009, after including the payments for 2007 and 2008, the postal service will be on track to prefund the trust fund through 2016 by over $9 billion, more than the IG's recommendation.

This bill is long overdue. It is good government, and I strongly support it.

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

Mr. TOWNS. Mr. Speaker, at this time, I would like to yield 2 minutes to the gentleman from Chicago, Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, first of all, I want to thank the chairman for yielding me this time. I also want to commend him and the ranking member and the members of the subcommittee for the great work that they have done on this bill.

I am very pleased to be a cosponsor, an original cosponsor of H.R. 22. I am basically pleased to have been so because for a number of years we have known that the postal service was operating in a different environment. We have seen the tremendous increase in e-commerce. We have seen the utilization of other means and methods of communicating, and we have always known we were going to have to do something.

The something we have done does not cost the taxpayers any additional money. As Delegate NORTON said, it is not a bailout. It is a sane, rational approach to dealing with the problem, and I want to commend the postal service for their efforts to operate in an environment of diminishing returns.

So, again, I commend the chairman and the ranking member. I strongly support this legislation.

Mr. ISSA. Mr. Speaker, I would like to inquire from the chairman how many more speakers he has.

Mr. TOWNS. I have one more speaker and the right to close.

Mr. ISSA. I reserve the balance of my time to close before the chairman closes.

Mr. TOWNS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Let me thank the distinguished chairman for yielding me this time and thank him and the ranking member for what I believe is an astute and important statement on behalf of the United States Postal Service and all of its thousands upon thousands of hardworking postal workers.

H.R. 22 is an effective approach to an organization which has served this Nation for decades, and one which we have respected and has served in many different capacities; the idea of reducing the payment that the postal service has to contribute to the health benefits trust fund from $5.4 billion to $1.4 billion, added to their already established resources, allowing them, without taxpayer dollars, to work on some of the new trends that we are facing all over America, new technology and the utilization of email.

No one can doubt the service of the postal service workers and the importance of neighborhood post offices. Frankly, Mr. Speaker, I am hoping there will be a modified review of post offices and a respect of neighborhoods and rural communities and urban centers where postal services are very important.

Many people use money orders. I know some of us would probably wonder about the utilization of those kinds of financial documents, but they are important to certain economic levels of our communities. Many people go to the post office to pick up their mail. They have a post office box. Many companies, for other reasons of commerce, use the postal service as opposed to an email. Sometimes a paper written document is necessary.

I would like to thank the committee for looking intelligently at this issue, and I wanted to rise today to support H.R. 22, as amended, and to particularly salute the postal workers of America who have worked with me side by side in Houston who have been part of the postal food giveaway. They do a lot. I am very glad to have been an original cosponsor of this bill.

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

All that need be said has more or less been said. This is necessary. It scores no cost. It is a reality of our recession and the ongoing reduction in the number of pieces of mail being carried by the post office. I might note in closing, the United Parcel Service, FedEx, DHL and others have experienced even greater reductions in their package carrying. That is part of this recession. This recession will end. But when this recession ends, the use of email and advertising over the Internet rather than your mailbox will continue.

So I look forward to working with the chairman. He and I have forged a very good relationship on these bipartisan issues. We need to create the right size postal system. We need to convert and retain postal workers as Federal employees where there are opportunities. That is what we really need the time to do.

As the chairman and I close, I want to urge all of my colleagues to understand, I am putting down a marker here today that I will not be bringing back the exact same bill next year simply to forestall it. We will monitor the usage at the post office and work with them, work with the Postmaster, and we will work with each other to make sure that we begin in a very, very quick order the kinds of reforms that may cost money but ultimately will right-size the post office.

That is a commitment the American people expect us to make and one we will make. But at the same time, I recognize that the postal service is right-sized to perform an incredibly important constitutional duty, one that none of us would want to see go away. Certainly at a time when a number of States have gone to postal voting, they now represent a key element of democracy even beyond what they have historically done.

I thank the chairman for this bipartisan work, and I thank Mr. MCHUGH who could not be here today for his relentless support and work. I urge strong support that we vote this out of the House on a unanimous basis.

I yield back the balance of my time.

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

Let me just say, I am really proud that we have come to this moment to move this bill forward. I want to thank the ranking member, Congressman ISSA for his work, and thank Congressman LYNCH and Congressman CHAFFETZ and all of the people who have worked so hard on this, and especially the staff on both sides of the aisle for their work, and to say to you, yes, we still have some more work to do. There is no question about it, because the problem has not been solved, but at least we are able to get to this point. We agree to continue to work to try to bring about a solution. Let's face it, we owe it to the postal workers to be able to try to assist them in finding a solution to this problem.

There is a recession. There is no question about it. We need to make some adjustments. What we are doing here is not costing the government any money. This is just being creative, recognizing the fact that something needs to be done, and we are doing that. So here again, on that note, I want to thank all of the committee for working with me on it. We will be back again trying to see how we can come about with a total solution to this problem.

Mr. MCHUGH. Mr. Speaker, I rise today as the proud sponsor of H.R. 22, a bipartisan bill

with 339 cosponsors that would provide immediate but temporary financial relief to the Postal Service. As a Member who has closely followed postal legislative issues for more than 14 years, I urge my colleagues to vote in favor of this legislation. I thank the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) for their work to bring this legislation to the floor today.

As every Member of Congress and most Americans are aware, the Postal Service faces a crisis of huge and historic proportions, despite extensive efforts to reduce costs. This situation is due to the precipitous decline in mail volume brought about by the deepening recession, changes in technology and society, and the economic condition of the agency's largest customer, the financial services industry.

Additionally, the Postal Service is laboring under a crippling cost burden imposed by a statutory requirement that the Postal Service prefund the health benefits of future retirees, while still continuing to pay annual premiums for its current retirees. The payment for current retirees totals about $2 billion and is growing each year. At the same time, the annual statutorily-mandated prefunding ranges from $5.4 billion to $5.8 billion over the 10-year period from 2007 through 2016.

In 2008, the Postal Service's total retiree health benefits costs came to $7.4 billion, with $1.8 billion of that amount paid for current retirees and $5.6 billion deposited into the Postal Service Retiree Health Benefits Fund to prefund future premium payments. Without the mandated payments, the Postal Service would have achieved a positive net income in 2008 rather than its actual $2.8 billion loss. It is important to note that no other entity—public or private—is required to prepay this health benefit obligation at these extremely high levels.

As amended, H.R. 22 would begin to address this serious situation. It would do so by simply accelerating, for just the remainder of fiscal year 2009, a provision in the law to allow the Postal Service to pay the health premiums for current retirees from the Postal Service Retiree Health Benefits fund; this fund already holds in excess of $32 billion and will continue to grow. H.R. 22 does not require an appropriation or use of any taxpayer monies, but rather involves merely an intragovernmental transfer of funds. It would not increase the health benefit premiums paid by current or future Postal Service retirees, nor would it affect their benefits. Put simply, it is not a bailout.

The Postal Service is in a dire financial situation, and while H.R. 22 is not the full answer to all of the Service's woes, it is an important solution to alleviate the pressure before the agency risks running out of money at the end of this month. According to the committee, the amended version considered on the floor of the House today does not score based on the Congressional Budget Office's (CBO) evaluation. This is not a budget gimmick because the fact of the matter is that the Postal Service cannot adjust its spending for this fiscal year so late. Any cost cutting the Postal Service would have made for the fiscal year ending September 30 has already taken place and cannot be reversed.

Again, the main driver of the Postal Service's debt has been the 2006 Postal Accountability and Enhancement Act's (P.L. 109–435) requirement to prefund 80 percent of its future retiree health benefit costs, a 75-year liability, in just 10 years. No other business or government entity does that. As I noted, if it had not been for this prefunding, the Postal Service would have had a profit in 2008, in spite of the economic turndown. That is why 339 Members of the House have put their name as sponsors on H.R. 22.

Mr. Speaker, there is a consensus that Congress should enact H.R. 22, which is strongly supported by the Postal Service, all of its unions and management associations. It is also supported by the entire $900 billion mailing industry, which employs 9 million Americans. Accordingly, I ask my colleagues to support this legislation and work with me to enact it into law.

Mr. LYNCH. Mr. Speaker, as Chairman of the Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, Committee on Oversight and Government Reform, I am writing to offer my strong support of H.R. 22, the United States Postal Service Financial Relief Act of 2009, as amended, which would provide short-term relief in the form of a 1-year restructuring of the Postal Service's retiree health benefits payment. The Postal Service, after having overpaid this obligation for the past couple of years, deserves to have this payment restructured, immediately. I need to also mention that the bill before us does not constitute a bailout of the Postal Service, in any form or fashion. Instead, it is intended to provide the Postal Service with some relief from an ill-structured payment schedule that would have required the Postal Service to pay nearly $5.5 billion into the retiree health benefits fund this year, notwithstanding USPS current financial crisis. The bill before us simply lowers that payment to $1.4 billion, thereby ensuring that the Postal Service will not default on its financial requirements as defined by the 2006 Postal Accountability and Enhancement Act. Additionally, the bill before us falls in line with calls for a more fiscally responsible government, since the amended version of H.R. 22 does not score.

In 2006, Congress placed an unprecedented burden on the Postal Service by requiring the prepayment of 80 percent of future retiree health benefits—a 75-year liability—in just 10 years. No other Federal agency carries this burden. Our subcommittee has held oversight hearings of the Postal Service in the 111th Congress, and during that time the financial condition of the Postal Service has rapidly gone from bad to worse. The Postal Service is faced with rising costs and unprecedented declines in mail volume. The losses were driven by the nationwide economic recession, diversion of mail to electronic alternatives, and also by the aggressive payment schedule for retiree health benefits required by the 2006 postal reform act. The Postal Service's fiscal year 2008 payment total for current and future retiree health benefits was roughly $7 billion. It is likely that without these payments last year, the Postal Service would not have reported a net loss of over $2 billion in fiscal year 2008. The future does not appear to be getting better. Although the Postal Service has targeted $6.5 billion in savings through closures of administrative offices, an agency-wide hiring freeze, reduction of work hours, and readjustment of delivery routes, among other efforts, the Postal Service nonetheless expects losses for this year to exceed $7 billion.

Again, H.R. 22, as amended, provides the Postal Service some much needed short-term relief and improves the organization's cash position. As currently structured, the Postal Service is almost entirely self-sustaining. In fact, less than 1 percent of the Postal Service's budget is appropriated by Congress. While the measure being considered today should not be substituted for a longer-term solution to the Postal Service's financial problems, it is, nevertheless a critical component to a mix of strategies to assist the Postal Service in these dismal economic times. In the coming months, our subcommittee will continue to provide oversight of the Postal Service, including an in-depth examination of the Postal Service's business model to help determine what longer-term changes may be necessary to help the Postal Service return to financial viability.

In closing, I would like to thank Representatives JOHN MCHUGH of New York and DENNY DAVIS of Illinois for introducing this bill and for their hard work in advancing this bill through the House. Additionally, I would like to thank Chairman EDOLPHUS TOWNS, the House leadership, and the House Budget Committee for their tireless efforts to bring the bill to the floor. Lastly, I want to recognize Representatives DARRELL ISSA and JASON CHAFFETZ for their ongoing assistance on this important piece of legislation. I again express my strong support, Mr. Speaker, of approving H.R. 22 as amended, and I encourage my colleagues to do the same.

Mr. KUCINICH. Mr. Speaker, I thank Congressman MCHUGH for his leadership on this bill and I am proud to be a cosponsor of this important legislation. H.R. 22 provides necessary financial relief for the United States Postal Service (USPS) by temporarily allowing it to prefund its future health care obligations out of the Postal Service Retiree Health Benefits Fund instead of its operating funds.

As an ardent supporter of the Post Office, I am deeply concerned about USPS' financial condition and appreciate the difficult decisions the Postal Service must make in order to ensure its survival. I am committed to ensuring the viability of the USPS and to the unique, irreplaceable services it provides to Americans.

It is that commitment that fuels my concerns that the Postal Service is making decisions to close post office branches across the country without full community participation and input. I am concerned that people in my community and communities across the country will face a significant reduction in services that the Postal Service provides. I am concerned that closures of USPS retail branches will mean an increase in the privatization of the same services that Northeast Ohio relies on.

In recent weeks, I have received a number of calls from people voicing concerns regarding the possible closure of their neighborhood postal retail facility. In particular, constituents from vulnerable communities who may not have access to transportation or the internet have raised concerns that they may not be able to easily access another USPS retail facility should the one in their neighborhood close. The Postal Service must ensure that they are given a seat at the table and ensure that universal access to the crucial services provided by the USPS remains.

I will continue to fight for the U.S. Postal Service and the people they serve. I strongly urge passage of this bill.

Mr. TOWNS. On that note, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 22, as amended.

The question was taken.

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

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.

ALLOWING UNITED STATES POSTAL SERVICE TO ACCEPT DONATIONS FOR PLAQUES

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3137) to amend title 39, United States Code, to provide clarification relating to the authority of the United States Postal Service to accept donations as an additional source of funding for commemorative plaques.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3137

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

SECTION 1. DONATIONS FOR COMMEMORATIVE PLAQUES.

(a) IN GENERAL.—Section 401(7) of title 39, United States Code, is amended by striking ''business;'' and inserting ''business, including monetary donations made (in such manner as the Postal Service may prescribe) for the funding of plaques in connection with the commemorative designation of postal facilities;''.

(b) DESIGNATIONS.—The donor of a monetary donation described in the amendment made by subsection (a) may specify the postal facility with respect to which such donation is to be used.

(c) REQUIREMENT.—The United States Postal Service shall provide for a suitable plaque, in the case of any postal facility which has been designated by law to commemorate a particular individual, no later than 120 days after the date as of which—

(1) a law has been enacted providing for the designation of the postal facility involved; and

(2) sufficient amounts have been received, in the manner described in subsection (b), to provide for such plaque.

Any donations received by the Postal Service under subsection (b) in excess of the total amount needed in order to provide for a suitable plaque may, with the consent of the donors involved, be used for the funding of a plaque in the case of any other postal facility as to which a law (as described in paragraph (1)) has been enacted.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be considered—

(1) to affect the authority of the United States Postal Service with respect to any requirements concerning the design, placement, and limitation on costs relating to commemorative plaques (as described in the preceding provisions of this section), so long as such requirements are applied in a uniform manner; or

(2) to limit, supersede, or render inapplicable any other authority or duty which (but for this Act) the United States Postal Service would otherwise have had with respect to the commemorative designation of a facility or the funding, commissioning, or installation of a plaque in connection with such a designation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Mr. 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 New York?

There was no objection.

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

As chairman of the Committee on Oversight and Government Reform, I am pleased to present H.R. 3137 for consideration. This legislation will clarify the authority of the United States Postal Service over the receipt of monetary donations for post office commemorative plaques. I want to commend my ranking member, Congressman ISSA, who really, really brought this idea forth. I think that it goes into what we are doing. We are trying to reserve, we are trying to save money, and I think this legislation is a very creative way of being able to do that.

Congress routinely passes legislation to designate post offices throughout the country and honor deserving individuals, and I think that is a great idea.

Under current practice, the United States Postal Service subsequently purchases dedicatory plaques, at its own expense, out of the agency's operating budget. I think this is something that we will be able to eliminate and save money. I think that is one way to do that.

H.R. 3137 simply seeks to reduce and to eliminate the financial burden imposed on the United States Postal Service with regard to the purchase of commemorative plaques by clarifying current law in this area. Specifically, the legislation would amend the United States Code to make clear that the postal service may accept monetary donations offered for the funding of postal facility commemorative plaques.

□ 1315

In addition, H.R. 3137 provides that monetary donors may specify the postal facility at which their donations will be used. Moreover, when the amount of a donation exceeds the cost of a specified facility's commemorative plaque, H.R. 3137 would also allow, with a donor's consent, for the use of the excess donations towards the purchase of a plaque needed for another postal facility.

I think that is a great idea. I think it's a very creative way to be able to sort of save money and, at the same time, not to have to cut back on doing what we know is right based on the fact that they do not have the funding.

On that note, I reserve the balance of my time.

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

I thank the chairman for bringing this bill to the floor today. The genesis of this bill was in fact a recognition that the Postal Service funds all of its operations out of its own revenue. In no other area would the Federal Government essentially mandate a burden on a government agency over which it provides no funding, and yet here we do.

More importantly, most post offices are either named after fallen heroes in our own district, former Members of the House or Senate, or, in some cases, other notable people, and even, once in a while, a postmaster.

The fact is we make those decisions. We name those post offices. Those plaques cost money to procure and to maintain, and a recognition that in fact communities' involvement should be there, there should be a real upswelling of support.

Myself, I named a post office after the first Indo American Member of Congress, Dalip Singh Saund. I was proud to do it. And on the day that we put the plaque up, I had Members from all over California, and actually a few outside of the Indo American community, proud that the first Indo American—and the only one, except for Bobby Jindal—was being honored at a post office.

The fact is, that community would have been more than happy to not only pay for the plaque, but to help design it and to be more involved in it. That kind of support is something that we're missing because we didn't take this opportunity.

The legislation is relatively small. It perhaps would only save a few hundred thousand dollars a year to the post office, but I think it makes the kind of statement that the post offices and the names on them are important community activities and that in the future the procurement and perhaps the ongoing support will come from the community, with the enabling language here.

It also is a small but meaningful step toward the kind of reform of the post office that they want to do and that we want to help them do, and, that is, if they're going to have to live on their own revenue, Congress should not be adding to their cost of doing business.

With that, I reserve the balance of my time.

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

Mr. Speaker, as we all know, the financial condition of the United States Postal Service is dismal, at best, and the agency is faced with a continually

declining mail volume. Accordingly, we should all welcome cost-saving efforts such as those provided in H.R. 3137, that is not a detriment to hardworking postal employees, but rather will only serve to alleviate the financial burden of the Postal Service.

We all name post offices from time to time. I know I named one after Congresswoman Shirley Chisholm, the first black woman to serve in the United States Congress. I thought it was a great thing. But, let's face it, it cost the Postal Service money in order to be able to get the plaque, to get it designed, and to be able to put together an event because, after all, that was an important event for the first black woman who served in the United States Congress.

So these are things that cost money that the Postal Service has to put up the money for. And I want to congratulate Mr. ISSA for introducing this legislation because I really think that you might look at it as not a giant step or big or tremendous saving, but I see it today that every little bit helps. And this, I feel, is really helping.

I reserve the balance of my time.

Mr. ISSA. I have no further speakers at this time, I would urge all Members to vote for the bill, and yield back the balance of my time.

Mr. TOWNS. Mr. Speaker, I have no other speakers, but I would like to just close by encouraging and urging all of the Members of this House to support this legislation. I think this is legislation that truly makes a lot of sense, and it sort of does the things that we need to do to sort of tighten our belts and work together to be able to bring about solutions to solve problems.

I think this legislation is legislation that points us in the right direction, and maybe as result of this we can find other ways to be able to bring about savings for the Postal Service.

I yield back the balance of my time and encourage my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 3137.

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. TOWNS. 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.

IRAQ AND AFGHANISTAN VETERANS MEMORIAL POST OFFICE

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3386) to designate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the ''Iraq and Afghanistan Veterans Memorial Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3386

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

SECTION 1. IRAQ AND AFGHANISTAN VETERANS MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, shall be known and designated as the ''Iraq and Afghanistan Veterans Memorial 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 ''Iraq and Afghanistan Veterans Memorial Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Mr. 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 New York?

There was no objection.

Mr. TOWNS. I now yield myself such time as I may consume.

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am pleased to present H.R. 3386 for consideration. This legislation will designate the United States postal facility located at 1165 2nd Avenue in Des Moines, Iowa, as the ''Iraq and Afghanistan Veterans Memorial Post Office.''

At this time I would like to reserve the balance of my time.

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

Mr. Speaker, I urge passage of this bill designating the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the ''Iraq and Afghanistan Veterans Memorial Post Office.''

Mr. Speaker, this is a particularly appropriate naming. Often we name post offices in honor of one individual whose service may have been in the Postal Service, here in Congress, or perhaps an individual who gave their last full measure to the country.

In this case, we're recognizing a conflict—a conflict that has been difficult and has cost the lives of a great many American men and women—and this broad recognition that we should pay honor to them is particularly noteworthy when you realize that more than 11,000 Iowa National Guard members have been called to Active Duty in the past 8 years and that in fact more than 70 have died in combat.

So I join with Mr. BOSWELL in support for this bill. It's well thought out. It's unusual for a Member to forgo perhaps the gratification of naming something after a former colleague or after somebody by name in their district and to look beyond that—to look to the brave men and women who have served nobly in this crisis and recognize them in a broader way and one that I think will be enduring in Iowa for generations to come.

With that, I reserve the balance of my time.

Mr. TOWNS. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. BOSWELL) who has worked very hard to make certain that we are here today.

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

Mr. BOSWELL. I would first like to thank the chairman and ranking member for moving this bill along. I might add, Mr. ISSA, that we did have an individual request for this, and we thought about it long and hard. Then we thought about the multitude, the many that have served, and felt like it was appropriate to do this.

So I do rise today and honor those who have nobly served the Nation in Iraq and Afghanistan, and ask colleagues to support H.R. 3386, which, as has been said, will designate a post office in Des Moines, Iowa, as the ''Iraq and Afghanistan Veterans Memorial Post Office.''

Having spent some 20 years myself in the Army, and a couple tours in Vietnam, I understand the sacrifices, and so do you, Mr. ISSA, and so do many others, made by our servicemembers.

Our Armed Forces have many assets—whether it's our aircraft carriers, fighter planes, missiles. However, oftentimes one of the greatest military assets is overlooked, and that's our military personnel.

Our servicemen and -women stand ready to defend the freedoms we hold dear. Our all-volunteer force is made up of brave individuals who know all too well the sacrifices that we have asked them to make. Yet time and again, with this knowledge, they continue to put our freedoms above what they give up. These brave young men and women who have fought in these wars, many having lost their lives, deserve recognition for their service and their sacrifice.

Renaming the post office in downtown Des Moines, Iowa, will create a memorial for all Iraq and Afghanistan veterans, and each day Iowans will be reminded of our neighbors who courageously fought on our behalf. By renaming this post office, we honor those who have served, but also those who have given the ultimate sacrifice—their lives. To date, more than 50 Iowans have made that sacrifice.

Those who have or are serving in our Armed Forces are committed to serving our Nation with courage and honor. We must make that same commitment to them.

I urge my colleagues to join me in supporting H.R. 3386. We must never forget.

Mr. ISSA. Mr. Speaker, at this time I yield back the balance of my time and urge full support for this resolution.

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

The legislation before us pays tribute to the brave men and women from the city of Des Moines. Let me say that over 400 have been wounded, 50 have been killed, and I think that this is something that, once it's there, people will always see it and know in terms of what happened.

Let me say that I urge my colleagues to support this legislation because I think it's legislation that's broad and that it recognizes the conflict and, of course, the people that have been involved in it in the local area as well.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 3386.

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

A motion to reconsider was laid on the table.

SUPPORTING AMERICAN LEGION DAY

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 679) supporting the goals and ideals of American Legion Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 679

Whereas, on September 16, 1919, Congress issued the American Legion a Federal charter;

Whereas the American Legion, a veterans service organization, remains active at the national, State, and local levels;

Whereas American Legion members, known as Legionnaires, donate millions of volunteer hours in Department of Veterans Affairs medical facilities and State veterans homes;

Whereas the American Legion sponsors and supports a number of activities for children and youth, including the National Oratorical Contest, Boy Scouts, American Legion Baseball, Boys State, and Boys Nation;

Whereas the American Legion awards millions of dollars in college scholarships;

Whereas the American Legion National Emergency Fund provides financial assistance to Legionnaires who are displaced by natural disasters;

Whereas the American Legion Family Support Network provides assistance to members of the Armed Forces and their families;

Whereas the American Legion Child Welfare Foundation has provided millions of dollars for programs focused on America's children and youth, such as the Special Olympics and the Children's Miracle Network;

Whereas the American Legion Temporary Financial Assistance program provides grants to veterans who have children and who are experiencing financial hardships;

Whereas the American Legion remains a steadfast supporter of a strong national defense;

Whereas the American Legion supports maintaining a viable but principled foreign affairs agenda;

Whereas the American Legion is a staunch advocate for the principal missions of the Department of Veterans Affairs;

Whereas the American Legion played a principal role in the drafting of the Serviceman's Readjustment Act of 1944, also known as the G.I. Bill of Rights;

Whereas the American Legion supports employment programs and opportunities for veterans;

Whereas Legionnaires believe a veteran's service to the United States goes on long after the veteran is discharged from the Armed Forces; and

Whereas many Americans recognize September 16 of each year as American Legion Day: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of American Legion Day; and

(2) calls upon the people of the United States to observe American Legion Day with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Mr. 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 New York?

There was no objection.

□ 1330

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

I rise in support of H. Res. 679, supporting the goals and ideals of American Legion Day, celebrated each year on September 16. This resolution expresses this Chamber's commitment to this important veterans' service group.

The American Legion has nearly 3 million members across the country and worldwide, and of course I think that is so significant.

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

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

I rise to urge passage of this resolution supporting the goals and ideals of American Legion Day.

''For God and country.'' These four words eulogize and introduce the preamble of the American Legion's constitution, which has been recited by its members at every meeting in its 90-year history.

The history of the American Legion began when it was established as a mutual aid veterans' organization in September 1919. The organization is a congressionally chartered organization and was established so that returning soldiers of World War I would not suffer the same hardships that those from other wars had endured.

Mr. Speaker, they have grown far beyond that original charter, and today they represent a consolidated organization that looks after veterans from all wars and issues that are so important. Through thick and thin, through popular and unpopular wars, they stay out of the politics of the day and focus on the veterans of yesterday.

So, Mr. Speaker, I, too, rise with the chairman to support this, because the American Legion, in its work in supporting not only veterans, but also youth organizations such as the Boy Scouts, Boys State, Boys Nation, and others, puts together the veterans of yesterday with the youth and future of tomorrow. That is an important issue and one that I think all of us can appreciate.

We have all seen it. Not one Member of Congress can say that they haven't been touched and they haven't seen the work done by the American Legion in their district.

I urge strong support for this resolution.

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

Mr. TOWNS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Illinois, Congresswoman HALVORSON.

Mrs. HALVORSON. Mr. Speaker, I was privileged to introduce House Resolution 679, supporting the goals and ideals of the American Legion Day on September 16.

This resolution helps to honor the service and the sacrifice of the nearly 3 million members, men and women, in nearly 15,000 American Legion posts worldwide.

On September 16, 1919, the American Legion was granted their Federal charter by Congress, and 90 years later they have kept their commitment to serve not only as a resource and a voice on behalf of veterans across America, but also as an organization dedicated to the betterment of America through community service.

Since their founding charter, the American Legion has not wavered from the guiding principles and vision that can be found in their four pillars of service.

The first pillar is a steadfast commitment to ensure that America has the best fighting force in the world. Towards this end, the Legion has been a tireless advocate on behalf of the American soldier to make sure that they have the resources and the tools they need in order to do their job.

The second pillar is making sure that we proudly care for our veterans. And whether it is providing one-on-one assistance to veterans through what can be the confusing and frustrating experience of filing for a disability claim or walking the halls of Congress to educate Members like myself on the legislative issues that are important to our veterans, they do an excellent job. The original GI Bill, for example, helped set the standard for the benefits that we provide to veterans and was spearheaded by the Legion.

The American Legion has been there for our veterans for over 90 years,

standing up to serve those who have served.

Caring for our youth is the third pillar in the American Legion vision. The Special Olympics, the Children's Miracle Network, the American Legion Child Welfare Foundation, the American Legion Family Support Network, those are just a short list of the programs that the Legion supports. This is a testament to their belief that taking care of children in America, not just veterans' children, is something that makes our country stronger.

The final pillar comes from the understanding of the word ''patriot.'' Having fought for and defended our freedom, Legionnaires know firsthand that being a patriot means you must take action to preserve America. They know that being a patriot means not just defending our freedoms, but also defending our heritage, culture, and our flag. This pillar has been the foundation for the Legion's support of programs that instill American values in our youth. From Boy Scouts to Boys State, they've been there setting the course for millions of American children as they learn what it means to be an American and why it's so important to preserve our country.

The commitment to the four pillars of service has been the cornerstone of the American Legion ideals and their successes. It serves as a model that all Americans can use to better themselves and to better America. And it has, without question, helped make the country even greater. Millions of Americans have been encouraged, supported, and inspired by Legion programs, and this resolution is just a small way to say thank you.

I would also like to take a moment to recognize and thank the American Legion Auxiliary. Also formed in 1919, the Auxiliary has shown the same devotion to our veterans and our community, and they too deserve to be recognized.

Finally, I would like to congratulate Commander Clarence Hill for his recent election as National Commander. I appreciate his 24 years of service to our Nation in the U.S. Navy and wish him the best of luck during his tenure as Commander.

H. Res. 679 helps to recognize this extraordinary organization whose members have not only fought to protect our country, but chose to continue to serve long after their military service has ended.

Mr. ISSA. Mr. Speaker, I yield 2 minutes to the gentlelady from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to support the goals and ideals of American Legion Day.

Tomorrow, September 16, marks the 90th anniversary of the American Legion's charter. The American Legion was founded to serve the needs of America's veterans and to promote and protect the rights of those veterans. Ninety years later, the American Legion remains committed to its mission to instill ''a sense of individual obligation to the community, State and Nation.''

The Legion's nearly 3 million members have given generously of their time in each and every one of our communities. Be it volunteering in veterans hospitals, awarding millions of dollars in college scholarships, or sponsoring activities like Boys and Girls State, Legionnaires continue to devote themselves to the ideal of ''mutual helpfulness.''

I am so proud to have the highest number of veterans of any Member of Congress. And as I travel throughout Florida's Fifth Congressional District, I get to see firsthand how the American Legion and the American Legion Auxiliary and their members affect the lives of veterans and their local communities.

Today, I am especially pleased that for the first time a Florida veteran has been elected National Commander of the American Legion. I am proud to congratulate Commander Clarence Hill on his achievement and wish him the very best as he leads the American Legion into what I'm positive will be another wonderful 90 years.

I would also like to thank Representative HALVORSON for introducing this resolution. And I encourage my colleagues to join me in supporting the American Legion and recognizing September 16 of each year as American Legion Day.

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

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

I would like to thank Representative HALVORSON for introducing this bill, as well as the gentleman from California (Mr. ISSA), the ranking member of the Committee on Oversight and Government Reform, for helping us bring this measure to the floor. And I also want to thank the staff and all the people that have worked to make this a reality.

Mr. BUYER. Mr. Speaker, it is my pleasure to support H. Res. 679, a resolution supporting the goals and ideals of American Legion Day.

The American Legion is our nation's largest and oldest veterans' organization, and has been a steadfast supporter of our Armed Forces and veterans since Congress issued the venerable organization a federal charter on September 16, 1919.

The American Legion has always proven itself to be a tremendous national asset that stands by our troops and veterans. The stalwart patriotism, leadership, and faith in our great country of its 2.7 million members are most commendable.

Having grown up in a Legion family, I know firsthand the commendable programs and services The American Legion provides to veterans and communities. My mother is a former Auxiliary President for the Department of Indiana, so I am especially appreciative of the dedication and devotion of the members of The American Legion and its Auxiliary. They have raised millions of dollars for the American Legion Legacy Scholarship Fund to help fund the education of children who have lost a parent in our nation's service.

Another program, Heroes to Hometowns, works as part of the government's seamless transition effort to coordinate with the communities to ensure returning heroes and their families have the resources needed for a successful transition. The American Legion family also has over 6,000 volunteers that provide countless hours of services each year to their fellow veterans.

Mr. Speaker, I offer my full and heartfelt support for this resolution to support the goals and ideals of American Legion Day and to call upon the people of the United States to observe American Legion Day with appropriate programs and activities.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the resolution, H. Res. 679.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE KANSAS CITY ANIMAL HEALTH CORRIDOR

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 317) recognizing the region from Manhattan, Kansas, to Columbia, Missouri, as the Kansas City Animal Health Corridor, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 317

Whereas 34 percent of the $16,800,000,000 annual global animal health industry is based in the Kansas City region;

Whereas more than 120 companies involved in the animal health industry are located in Kansas and Missouri, including 4 of the 10 largest global animal health companies and 1 of the 5 largest animal nutrition companies;

Whereas several leading veterinary colleges and animal research centers are located in Kansas and Missouri, including the College of Veterinary Medicine and the $54,000,000 Biosecurity Research Institute of Kansas State University and the College of Veterinary Medicine, the College of Agriculture, Food and Natural Resources' Division of Animal Sciences, the $60,000,000 Life Sciences Center, the National Swine Resource and Research Center, and the Research Animal Diagnostic Laboratory of the University of Missouri;

Whereas Kansas City, Missouri, is centrally located in the United States and is close to many of the food animal end customers;

Whereas the Department of Homeland Security selected Manhattan, Kansas, as the future location for the National Bio and Agro-defense Facility (NBAF);

Whereas the $750,000,000 NBAF project will provide area economic development opportunities by employing 300 people, with an annual payroll of up to $30,000,000 and over 1,500 construction jobs;

Whereas NBAF enhances Kansas' leadership role in the Nation as the animal health research and biosciences center for the United States;

Whereas more than 45 percent of the fed cattle in the United States, 40 percent of the hogs produced, and 20 percent of the beef cows and calves are located within 350 miles of Kansas City;

Whereas there are nationally recognized publishers in the animal health industry located in Kansas and Missouri;

Whereas Kansas and Missouri have historic roots in the livestock industry, including the cattle drives in the 1860s from Texas to the westward railhead in Sedalia, Missouri;

Whereas Kansas and Missouri are home to many prominent national and international associations within the animal health industry; and

Whereas retaining and growing existing animal health companies, attracting new animal health companies, increasing animal health research capacity, and developing commercialization infrastructure will create quality jobs and wealth for Kansas and Missouri: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the region from Manhattan, Kansas, to Columbia, Missouri, including the metropolitan Kansas City area and St. Joseph, Missouri, as the ''Kansas City Animal Health Corridor'';

(2) recognizes the Kansas City Animal Health Corridor as the national center of the animal health industry based on the unmatched concentration of animal health and nutrition businesses and educational and research assets; and

(3) expresses its commitment to establishing a favorable business environment and supporting animal health research to foster the continued growth of the animal health industry for the benefit of the economy, universities, businesses, and young people hoping to pursue an animal health career in the Kansas City Animal Health Corridor.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Kansas (Mr. MORAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this resolution.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 317. This resolution recognizes the contribution that the Kansas City Animal Health Corridor makes to our Nation's livestock industry. Regional efforts like this encourage businesses to innovate and use best practices developed by the bioscience industry.

Livestock is an important value-added industry that brings in millions of dollars of revenue nationwide. Ensuring that producers have access to cutting-edge products and information to improve animal health is essential to the continuing success of the livestock industry. Our entire Nation benefits from having the most competitive livestock industry worldwide.

I encourage my colleagues to join me in supporting H. Res. 317 to recognize the Corridor's outstanding contribution to animal health.

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

Mr. MORAN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. HOLDEN) for his comments, and for the leadership of our Committee on Agriculture, Mr. PETERSON and Mr. LUCAS, for their support of this resolution, H. Res. 317.

We consider this resolution today, which recognizes the region between Manhattan, Kansas, and Columbia, Missouri, a great opportunity for two States that are often rivals, to come together in recognition of the Kansas City Animal Health Corridor.

This area of Kansas and Missouri has long been considered our country's headquarters for animal and bioscience. The largest concentration of animal health and nutrition interests in the Nation is located in this corridor, including more than 120 companies that account for nearly $17 billion in global sales. This amounts to over one-third of the total sales in the animal health industry.

Part of what makes this region unique is its location in one of the largest livestock-producing regions in the country. My own congressional district is the largest livestock-producing district in the Nation. The Kansas City Animal Health Corridor is a benefit to livestock producers in our region and to the country, and to the employment and investments these producers contribute to the local economy.

Biosciences are a tremendous opportunity for our State and its citizens. As the national economy has struggled, the animal health industry continues to expand and experience growth. The businesses, universities, and other interests located in the Kansas City Animal Health Corridor provide an opportunity for our best and brightest young people to stay and work in Kansas and Missouri, the Midwest.

Earlier this year, the Department of Homeland Security named this world-renowned area for animal health research as the home of the National Bio and Agro-Defense Facility, NBAF. This Federal laboratory is urgently needed to develop the vaccines and countermeasures against the threat of foreign animal disease, protecting our food supply and our economy. The Kansas City Animal Health Corridor will provide the workforce expertise and the collaboration opportunities to make NBAF a great success.

I appreciate the House of Representatives recognizing the important role of this region to furthering animal health and nutrition across the Nation and the globe. By supporting this resolution, we are helping to foster support for crucial research and business development in the animal health and science area.

I urge my colleagues and Members to support this resolution.

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

□ 1345

Mr. HOLDEN. Mr. Speaker, I recognize for 5 minutes the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank the gentleman for yielding me time.

Mr. Speaker, H. Res. 317 designates the region from Manhattan, Kansas, to Columbia, Missouri, as the Kansas City Animal Health Corridor. Manhattan, Kansas, is slated to become the new home of the foot-and-mouth research in the United States as part of the National Bio and Agro-Defense Facility, NBAF as it's called. This is where my problem is with this resolution.

Foot-and-mouth disease is a highly contagious animal disease, infecting nearly 100 percent of the animals exposed to the virus. There have been two outbreaks of foot-and-mouth disease in the United Kingdom this decade. The first resulted in the slaughter of more than 6 million animals, and it cost that country more than $16 billion. The second outbreak is suspected to have come from an accidental release from a government lab. It is estimated that a foot-and-mouth disease outbreak in the United States could cost as much as $40 billion, and it would devastate the U.S. livestock market.

For more than 50 years, research on foot-and-mouth disease in the United States has been done off Plum Island, which is off the coast of New York's Long Island. The natural water barrier protects our animal population from an accidental or intentional release of the disease from the island research facility.

House Resolution 317 states: ''More than 45 percent of the fed cattle—40 percent of the hogs and 20 percent of beef cows and calves produced in the United States—are located within 350 miles of Kansas City.''

I am baffled as to why we would want to move the foot-and-mouth disease research into the heart of Kansas given these staggering statistics. An accidental or an intentional release of foot-and-mouth disease in this enormous beef and pork population would bring our livestock industry to its knees.

As chairman of the Energy and Commerce Committee's Oversight and Investigation Subcommittee, I held a hearing in the last Congress on the Bush administration's ill-conceived plan to move foot-and-mouth research off of Plum Island and onto the mainland of the United States.

In response to my subcommittee's hearing, Congress required the Department of Homeland Security to conduct a study to determine if foot-and-mouth disease can be done safely on the mainland. DHS's study was then to be evaluated by the Government Accountability Office, GAO. DHS rushed

through a study; and in July, GAO released their analysis of the DHS study. The GAO report found numerous flaws in the study, including that DHS did not use foot-and-mouth disease virus-specific modeling to study the impact of a release into a community. Instead, they used a modeling system for radiation.

DHS's study was based on unrepresentative accident scenarios, outdated dispersion modeling techniques and inadequate meteorological data. The economic analysis did not incorporate market response to the foot-and-mouth disease outbreak, which would have been related to the number of livestock in the site's vicinity. DHS did not effectively characterize the differences in risk between mainland and island sites. DHS did not effectively integrate the components of its risk assessment.

As you can see, the Government Accountability Office has significant concerns about this flawed DHS study. The GAO concluded that DHS did not meet the standards set forth by Congress to prove that foot-and-mouth disease research can be done safely on the mainland. As a result, we've called for an independent third-party study to be conducted. This study would correct the problems outlined in the GAO study.

Mr. Speaker, I have no problem with the gentleman from Kansas and with my friend from Pennsylvania in recognizing the area set forth in House Resolution 317 as the animal health corridor, but I really do have problems with moving foot-and-mouth disease research into the center of livestock production in the United States without any proof that it can be done safely. If the Department of Homeland Security is going to pursue this dangerous tempting of fate, I think the American people should have an accurate assessment of what economic devastation could befall us should there be a release of foot-and-mouth disease from this new facility in Manhattan, Kansas.

Again, I understand where the gentleman is going, and I understand what he is trying to do to promote his State and to promote his area, but let's not rush to judgment here, especially when there are so many unanswered questions about whether this research can be done safely.

If they want to recognize H. Res. 317 as the animal health corridor, I have no problem; but I'd ask that they strike the NBAF language, and then I would be able to support the legislation. As it stands right now, the way the legislation is written, I reluctantly would oppose it.

Mr. MORAN of Kansas. Mr. Speaker, I yield 3 minutes to the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. Mr. Speaker, I rise today in support of House Resolution 317, recognizing the region from Manhattan, Kansas, to Columbia, Missouri, as the Kansas City Animal Health Corridor.

From the days of cattle drives more than 150 years ago to the DHS selection of Manhattan, Kansas, as the location for the new National Bio and Agro-Defense Facility, Kansas and Missouri have long been leaders in the animal health and livestock industries.

More than 120 animal health companies are located in Kansas and Missouri. The work these companies do enables ranchers to raise the safest and highest quality animals in the world. Not only are the majority of health companies located here, but there are leading veterinary colleges and state-of-the-art research centers, like the Biosecurity Research Institute at K-State, in the region.

At a time when businesses are struggling to make a profit and at a time when our Nation is facing record unemployment, the animal health industry continues to grow. Fourteen animal health companies or organizations have expanded in this region since 2006. The new NBAF will provide hundreds of billions of dollars in economic development opportunities for Kansas. It will create hundreds of full-time jobs and 1,500 construction jobs. That is the kind of economic stimulus our State needs. This resolution recognizes this region as a leader in animal health, and it supports the continued growth for the animal health industry.

Again, I thank my colleagues for their support of this legislation, and I urge all of my colleagues to support it.

Mr. HOLDEN. Mr. Speaker, I now yield 5 minutes to the gentleman from Michigan (Mr. DINGELL), the dean of the House.

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

Mr. DINGELL. I thank my dear friend from Pennsylvania for making available to me this time.

I would tell my colleagues this is a dangerous bill, and I would urge them to be careful about what you say about it because, if ever the location of this facility in Kansas causes an outbreak of animal disease or human disease, your remarks today will make great quotes by your opponents against you in the following election.

Mr. Speaker, I rise in opposition to this legislation recognizing the region from Manhattan, Kansas, to Columbia, Missouri, as the Kansas City Animal Health Corridor. It's a nice idea, but none of the work that has to be done under the National Environmental Policy Act or under other proper laws relating to the location of facilities of this kind has been fully and adequately and properly done. So what we're doing is just getting ready to locate what, essentially, could be a fine time bomb in the area to which we refer in the legislation—certainly, a foolish action.

The location of the current facility was picked because of its location off the shore of New York. It's on an island and it's isolated. Indeed, although in 1978 livestock on the island were infected after an accidental release of animal virus, the virus did not and could not reach the mainland. That is a warning to all here present.

In 2006, the Department of Homeland Security, I must assume in its usual slovenly fashion, proposed to move the animal disease facility to the mainland. Within hearings in the oversight committee, chaired by Mr. STUPAK, in the Energy and Commerce Committee, we learned from the committee that not only did DHS not adequately study the dangers of transferring foot-and-mouth disease onto the mainland but also that an outbreak of foot-and-mouth disease would wreak havoc on the livestock industry, potentially costing $40 billion in economic damage.

An outbreak of this disease in Britain caused $16 billion in damage, spurring an economic panic that almost shut down the government. Given the hundreds of billions of dollars at which our livestock industry is valued, an outbreak of FMD in the United States would be vastly more destructive.

DHS has since selected Manhattan, Kansas, as the new location for the facility for the National Bio and Agro-Defense Facility. The legislation, H. Res. 317, states that more than 45 percent of the fed cattle in the United States—40 percent of the hogs produced and 20 percent of the beef cows and calves—are located in the Kansas City region.

If you want a good warning as to why this legislation should not be adopted, that is it right there, because right in the middle of the greatest production of these kinds of animals, we are placing a facility that is going to handle—guess what—all manner of animal diseases, especially foot-and-mouth disease.

There is careful, thoughtful work that needs to be done to ensure that the industry is safe and that our people are safe and that they can understand that their government has done the proper work that it has to do to ensure the safety of the facility and the proper design of the facility.

Serious questions remain as to why the government needs to build the new NBAF in the first place; but, significantly, the fact that DHS continues to shirk its responsibilities to understand the risk of transferring the FMD to the mainland means that Congress must be very wary of sanctioning this new proposal regardless of the opportunities of the economic character that it might bring.

I would just warn my colleagues—and I say this with affection for my good friend who is the author of the legislation—that this is an unwise step to take at this particular time. I would urge my colleagues to ask themselves, if they don't ask anything else: Where are we going to bury all of the animals that are going to get FMD that are going to have to be exterminated because we have made an unwise choice in this matter?

I urge my colleagues to join me in opposing the resolution.

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

Mr. HOLDEN. Mr. Speaker, I now recognize the gentleman from Kansas (Mr. MOORE) for 4 minutes.

Mr. MOORE of Kansas. Mr. Speaker, Kansas City has come a long way from the stockyards and animal shipping that put it on the map. Now it's also the hub of America's animal health industry.

The Kansas City stockyards opened in the late 1800s, and quickly became one of the busiest animal ports in the country. The Kansas City Livestock Exchange was built in 1910 and became the largest building in the world dedicated solely to livestock. The tradition continues today as 45 percent of the country's feedlot-raised cattle and 40 percent of its hogs are found within a 350-mile radius of Kansas City.

Over the years, the stockyards have attracted businesses specialized in animal food and medicine. Today, more than 125 companies involved in the animal health industry are located in the Kansas City metro region, including four of the 10 largest global animal health companies and one of the top five largest animal nutrition companies.

Both Kansas State University and the University of Missouri are leading institutions in animal research. The University of Missouri is home to the prestigious National Swine Resource and Research Center and the Research Animal Diagnostic Laboratory. Kansas State is home to the Biosecurity Research Institute, the only facility of its kind in the world, which researches biosecurity hazards to our food supply and the containment of animal illness.

Just this year, the Department of Homeland Security has also selected Kansas State as the future home of the National Bio and Agro-Defense Facility, a $750 million government investment, adding another component to Kansas' animal health resume. Most impressively, 34 percent of the $16.8 billion generated each year by the global animal health industry is based in the Kansas City region.

For these reasons, I would ask that people join me in acknowledging the Kansas City metro region—from Manhattan, Kansas, to Columbia, Missouri—as the Kansas City Animal Health Corridor. Kansas City is still a cow town, and we are proud to be the high-tech cow town of the 21st century. I urge my colleagues to support House Resolution 317.

□ 1400

Mr. MORAN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I point out to Members and my colleagues that the resolution before us simply is a resolution on suspension recognizing an area, a part in Kansas, part in Missouri, related to animal science.

The whereas clauses do mention that a facility has been approved for a site in Manhattan, Kansas, by the Department of Homeland Security, but this legislation before us today does nothing to say that's necessarily a good idea or bad idea.

From my perspective, it is clearly a good idea. As I said earlier, I represent a congressional district in which livestock feeding, livestock raising and livestock producing is the way of life. Perhaps our most important component of our agricultural economy is feeding cattle or raising the feed to feed cattle. Even a rumor of animal disease or food safety causes the price to plummet for what we raise in Kansas.

It is important for us as an industry, and important for us as a State, but important for us as a Nation to develop a facility, a top-notch, latest technology, most scientifically advanced research facility, to make certain that nothing happens to damage the safety of our food supply.

What is happening on Plum Island is insufficient. It is not being rebuilt, it is not being expanded, and technology is not being improved. What we are talking about ultimately, although not in this resolution, what we are talking about is a decision by the Department of Homeland Security, both the Department from the Bush administration and the Department from the Obama administration, reaching a unanimous decision that a new facility to be built in the United States, competitively advanced, narrowed down to five States, a site ultimately chosen, unanimously chosen, and the message has been that the facility must be built, advances must be made, and science must advance the cause of animal safety. And the failure to do this, failure to move forward means that the risk we run is much greater than the risk if we fail to take this action.

So today while we are here, in a sense, in a bit more ceremonial setting in which we are recognizing a set of businesses, industries and producers in a certain region of this country and naming it an animal health corridor, not here necessarily to debate the merits of NBAF, in my opinion, the location that has been chosen is the right one. Where else in the country would you expect us to care more than in the middle of cattle country to make certain that we do it right? And what university would I respect more with their ability to resolve these issues in favor of a safe food supply and protecting the cattle producers of this country than Kansas State University, the companion to the site being selected in Manhattan, Kansas.

So while we are here today on perhaps a different mission, I am happy to have the discussion about the merits of what the Department of Homeland Security decided in the last administration and what the Secretary of Homeland Security in this administration says is a firm commitment that this administration is standing strongly behind.

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

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

Mr. MORAN of Kansas. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. CUMMINGS). The gentleman from Kansas has 12 minutes remaining.

Mr. MORAN of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from Kansas for yielding and thank him for his leadership on this issue.

Mr. Speaker, I am a little puzzled why this discussion has come up this afternoon. This has been a long selection process to get NBAF to where it is located today.

Many facilities were researched. They looked at it. They decided the best place in all of America, based on past history, based on facility, based on geography, based on the plan and place was to select Manhattan, Kansas.

Now, we have the same similar lab research going on around America today and also in Canada. In fact, there are facilities at Fort Detrick, Maryland, very close here to Washington, D.C. It's considered safe even though the research there is somewhat as dangerous, if not more dangerous, to humans than what we are discussing today.

We also have CDC laboratories in Atlanta, Georgia, and in other high-population areas, places in Texas have similar research going on. But in Winnipeg, Canada, they have the very same research going on 70 miles from the United States border and in the cattle country of Canada, and yet there are no concerns.

Now, the NBAF facility is going to be the same, whether you locate it in Kansas or Georgia or Texas or whether somebody else here would like to have it in their home district. We are going to have plans in place to make sure that this is a well-protected facility, a level 4 security, BSL 4, as it is referred to. It is going to be safe, it's going to be effective, and it's going to provide the continuation of a low-cost, stable food supply that is marketable worldwide because of the safety research.

So for us to put a red herring out there that this is not a safe facility or that there are some concerns, you know, this has been studied by DHS. They do have a preliminary plan in place, God forbid something should ever happen, but they are satisfied that this level 4 facility is going to meet the requirements.

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

Mr. MORAN of Kansas. I yield the gentleman an additional minute.

Mr. TIAHRT. One point I would like to make is that in Kansas State we have been doing similar research for quite some time in the past decade, completely safe in a level 4 facility. We can start the beginning of this research today. The only thing that's really

holding this up is this lack of funding, and there is something critical going on in the funding scheme. The Federal Government has promised to come up with 36 million. It's going to be matched by the State of Kansas.

But if we delay the construction, we delay the protections that would be put in place. And it's very shortsighted for us to question, after the fact, all the research, all the decisions, the fairness in the process and the decision that was made.

It was a good decision. It's the right location. We are going to move forward with this to protect our food supply and protect the people of America and make marketable agricultural products worldwide.

Mr. MORAN of Kansas. I yield back the balance of my time.

Mr. HOLDEN. Mr. Speaker, I join my colleague from Kansas in urging adoption of the resolution.

Mr. CLEAVER. Mr. Speaker, I rise today in support of H. Res. 317, a bill to recognize the Kansas City Animal Health Corridor.

In 1871, the first stockyard was opened in Kansas City and soon grew into one of the nation's premier livestock facilities. Kansas City's tradition of being a national leader in the agriculture sector continues today with the Kansas City Animal Health Corridor, an area stretching from Manhattan, Kansas through Missouri's Fifth District to Columbia, Missouri.

This region is home to more than 120 companies, including many of the nation's leading and largest animal health businesses. Sales of animal health products from companies located in the Kansas City Animal Health Corridor account for nearly a third of the global $16.8 billion dollar animal health and nutrition industry.

Activities in the Animal Health Corridor are not limited to the commercial aspects of animal health. Four of our nation's top veterinarian schools are located within 350 miles of the Animal Health Corridor. In addition to these premier veterinarian programs, other schools in the Corridor offer programs focused on animal health training and specialized degrees such as a Masters in Business Administration in Animal Health. Animal health research is greatly advanced in the Corridor by the Kansas City Area Life Sciences Institute which offers grants of up to $50,000 for researchers to study diseases that have the ability to infect both humans and animals.

The businesses, schools, and organizations in and around the Kansas City Animal Health Corridor are the national, if not global, leaders in the animal health research and production sectors and I am proud to have these institutions in my district and to support the Kansas City Animal Health Corridor. Mr. Speaker, please join me in recognizing the area of Manhattan, Kansas to Columbia, Missouri as the Kansas City Animal Health Corridor.

Mr. HOLDEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and agree to the resolution, H. Res. 317.

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

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

The point of no quorum is considered withdrawn.

RECOGNIZING FOREST SERVICE EXPERIMENTAL FORESTS

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 95) recognizing the importance of the Department of Agriculture Forest Service Experimental Forests and Ranges.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 95

Whereas the general provisions of the Act of June 4, 1897 (commonly known as the Organic Administration Act of 1897; 16 U.S.C. 551) and section 4 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643) authorize the Secretary of Agriculture to designate experimental forests and ranges;

Whereas, in 2008, the Department of Agriculture celebrated the 100th anniversary of the establishment of the first experimental forest at Fort Valley, Arizona, which eventually led to the creation of 77 additional experimental forests and ranges within the National Forest System;

Whereas the network of experimental forests and ranges provides places for long-term science and management studies in major vegetation types of the 195 million acres of public land administered by the Forest Service;

Whereas research at these experimental forests and ranges has provided critical information to the public, such as recognition of acid rain based on long-term precipitation chemistry data at Hubbard Brook, New Hampshire, characterization of old-growth Douglas-fir forests and ecology of the northern spotted owl, which set the stage for conservation planning in the Pacific Northwest, improved understanding of the science of forest hydrology, which was derived from long-term studies in experimental forests, especially Coweeta, and the forest and rangeland management systems built from foundation studies at many experimental properties; and

Whereas experimental forests and ranges provide opportunities to study the resources of the United States, including knowledge of forest and stream ecosystems, long-term records of climate, forest dynamics, hydrology, and other ecosystem components, information about long-term field experiments and opportunities to participate in them, access to a cadre of knowledgeable scientists, and access to thousands of publications about natural resource management and ecosystem science: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes the important contributions that the 77 experimental forests and ranges within the National Forest System have made in understanding and conserving the environment and ensuring that natural resources in the United States remain a source of pride and enjoyment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this resolution.

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

There was no objection.

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

Mr. Speaker, H. Con. Res. 95 recognizes the 100th anniversary of the first experimental forest established by the United States Department of Agriculture in Fort Valley, Arizona, and recognizes the importance of these living laboratories.

Today there are 77 experimental forests and ranges within the National Forest System. Experimental forests and ranges are valuable and dynamic resources that serve as long-term research sites.

As part of the U.S. Forest Services' research and development efforts, these experimental forests and ranges provide valuable data about various climates, forest types, vegetation, soils, ecosystems, glaciers and watersheds and other essential components of our Nation's vast natural terrain.

I want to congratulate the United States Forest Service for their outstanding work to establish and maintain this nationwide network of experimental forests and ranges over the past 100 years and encourage my colleagues to support this resolution.

I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I rise today in support of the resolution offered by the gentleman from Mississippi. This resolution recognizes the 100th anniversary of the first experimental forest, which was created in 1908, at Fort Valley, Arizona. Today, there are 78 of these forests in 30 States contributing valuable research and knowledge to help us better manage one of our most precious natural resources, our 750 million acres of forests across America.

Experimental forests allow the Forest Service to engage in important research on the threats that our forests face such as invasive species and diseases. These forests allow for Federal research to be conducted on plant and wildlife communities in controlled settings. We know about how best to ensure the health of our forests, rangelands and watersheds, and share their knowledge with States, localities and private landowners.

Mr. Speaker, I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. HOLDEN. Mr. Speaker, I yield 4 minutes to the gentleman from Mississippi (Mr. CHILDERS).

Mr. CHILDERS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to rise today to recognize the 100th anniversary of the establishment of the first experimental forest at Fort Valley, Arizona, by the Department of Agriculture Forest Service. Experimental forests and ranges provide places for long-term science and management studies in many of the major vegetation types across the country.

Fort Valley, the first experimental forest research station, established in 1908, as was mentioned earlier, was used to study how the ponderosa pine regenerates as the entire forest was being decimated through extensive logging, yet was not regrowing. Recommendations derived from research at Fort Valley were the basis of many U.S. Forest Service management practices that now allow us to responsibly log our forests so that they continue to produce.

The 80 experimental forests and ranges in existence today play an integral role in our Nation's ability to maintain healthy forests and establish responsible forestry practices. Thirty-five States have one or more experimental forests, including three in my home State of Mississippi.

Experimental forests and ranges provide samples of many ecological and environmental conditions across the United States. They support many forms of multisite research, monitoring and data sharing that address questions at regional and national scales.

As a tree farmer, I understand the vital role that experimental forests and ranges play in keeping myself and other tree farmers at the forefront of forestry research. As we continue to face challenges such as new diseases and invasive species in the forestry industry, experimental forests and ranges will be the key to finding solutions to these challenges and ensuring America's tree farmers continue to be competitive and profitable.

So I ask my colleagues, Members on both sides of the aisle today, to join me in recognizing the 100th anniversary of the establishment of experimental forests and support the passage of this resolution.

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

Mr. HOLDEN. Mr. Speaker, I join the ranking member of the full committee, Mr. LUCAS from Oklahoma, in urging adoption of this resolution and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 95.

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

A motion to reconsider was laid on the table.

□ 1415

TERMINATING CERTAIN EASEMENTS IN CASEYVILLE, ILLINOIS

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 511) to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 511

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

SECTION 1. TERMINATION OF NRCS EASEMENTS AND ASSOCIATED CONTRACTUAL ARRANGEMENTS, VILLAGE OF CASEYVILLE, ILLINOIS.

(a) TERMINATION AUTHORIZED.—The Secretary of Agriculture may terminate any easement held by the Secretary on land owned by the Village of Caseyville, Illinois, and terminate associated contractual arrangements with the Village.

(b) CONSIDERATION.—As consideration for the termination of an easement and associated contractual arrangements under subsection (a), the Village of Caseyville, Illinois, shall enter into such compensatory arrangements with the Secretary as determined to be appropriate by the Secretary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this bill.

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

There was no objection.

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

H.R. 511 would provide a limited authorization regarding the administration of a flood plain easement in the village of Caseyville, Illinois. The village of Caseyville and the United States Department of Agriculture executed a warranty easement deed in 1999 under the Emergency Watershed Protection Program. However, differences in approach on how to best protect and restore the flood plain led Caseyville to seek termination of the easement, including paying back the entire easement purchase price of $60,000 to the United States Department of Agriculture.

Mr. Speaker, H.R. 511 would allow the National Resource Conservation Service the flexibility to release the terms of the easement so that the village can use the land for flood prevention. This bill passed the House Agriculture Committee by voice vote earlier this year, and I encourage my colleagues to support it today.

I reserve the balance of my time.

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

I rise today in support of H.R. 511. This bill will allow the Secretary of Agriculture to terminate certain flood easements in the village of Caseyville, Illinois, in return for compensation. Termination of easements is essential for flood protection projects in Caseyville. This bill has passed the House Agriculture Committee with no opposition. I ask my colleagues to support this legislation.

Mr. COSTELLO. Mr. Speaker, I rise today in support of H.R. 511, a bill I introduced to correct a problem in Caseyville, Illinois, which is part of the congressional district I represent. I appreciate the efforts of Chairman PETERSON and Ranking Member LUCAS to bring this bill to the floor today.

H.R. 511 simply gives the USDA the authority to terminate an easement it entered into with the Village of Caseyville on September 20, 1999, due to a disagreement over how the land could be used. The Village received $60,000 and the easement covered 44 acres.

The Village believed that the Warranty Easement Deed under the "Emergency Watershed Protection Program" allowed the 44 acres to continue to be used for flood control. However, the National Resource Conservation Service began referring to the easement as a "Wetlands Reserve Program" property—that program is not concerned with flooding, but rather protecting and restoring wetlands.

The differences in approach led the Village to seek a termination of the easement, including paying back all of the $60,000 to the Department of Agriculture. After a great deal of discussion, the Department of Agriculture stated that it did not have the authority to terminate the easement, and suggested this legislative approach.

I again, thank the Committee for its attention to this matter and urge my colleagues to support the bill.

I have no further speakers and will yield back the remainder of my time.

Mr. HOLDEN. Mr. Speaker, I join the gentleman from Oklahoma in encouraging our colleagues to pass this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and pass the bill, H.R. 511.

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

A motion to reconsider was laid on the table.

MIAMI-DADE COUNTY LAND CONVEYANCE

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3175) to direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3175

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

SECTION 1. DEFINITIONS.

As used in this Act:

(1) COUNTY.—The term ''County'' means Miami-Dade County in the State of Florida.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) PROPERTY.—The term ''Property'' means approximately 2.0 acres, more or less, of the federally owned land comprising the Subtropical Horticulture Research Station in Miami-Dade County, Florida, as described in section 2(b).

SEC. 2. LAND CONVEYANCE.

(a) IN GENERAL.—Upon receipt of the consideration and cost reimbursement provided herein, the Secretary shall convey and quitclaim to the County, all right, title, and interest of the United States in the Property, subject to easements and rights-of-way of record and such other terms and conditions as the Secretary may prescribe.

(b) PROPERTY DELINEATION.—Of the federally owned land comprising the Subtropical Horticulture Research Station, the Secretary and the authorized representative of the County shall mutually delineate 2.0 acres, more or less, fronting on SW 67th Avenue for conveyance as the Property.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance of the Property, the County shall pay to the Secretary an amount in cash equal to the market value of the property.

(2) DETERMINATION OF VALUE.—To determine the market value of the property, the Secretary shall have the Property appraised in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions. The approved appraisal shall at all times be the property of the United States.

(d) SURVEY.—The County shall, at its cost, survey the exterior boundaries of the Subtropical Horticulture Research Station and the Property to Federal survey standards to the satisfaction of the Secretary, and shall provide to the Secretary certified originals with signature and raised seal.

(e) RELEASE.—The County, by a recordable instrument satisfactory to the Secretary, shall release the United States Department of Agriculture from that instrument dated September 8, 2006, titled ''Unity of Title''.

(f) TIME OF CONVEYANCE.—The Secretary shall convey the Property to the County not later than 120 days after the date on which the County deposits the consideration with the Department of Agriculture.

(g) CORRECTIONS.—With the agreement of the County, the Secretary may make minor corrections or modifications to the legal description of the Property.

SEC. 3. COSTS.

(a) TRANSACTION COSTS.—At closing for the conveyance of the Property under this Act, the County shall pay or reimburse the Secretary, as appropriate, for the reasonable transaction and administrative personnel costs associated with the conveyance authorized by this Act, including the transaction costs of appraisal, title, hazardous substances examination, and closing costs.

(b) ADMINISTRATIVE COSTS.—In addition to transaction costs under subsection (a), the County shall pay administrative costs in the liquidated amount of $50,000.

(c) ATTORNEYS' FEES.—The County and the Secretary shall each bear their own attorneys' costs.

SEC. 4. RECEIPTS.

The Secretary shall deposit the consideration and receipts for costs into the Treasury of the United States to be credited to the appropriation for the Agricultural Research Service, and such sum shall be available to the Secretary until expended, without further appropriation, for the operation, upkeep, and maintenance of the Subtropical Horticulture Research Station.

SEC. 5. MISCELLANEOUS PROVISIONS.

(a) SECURITY FENCING.—On or before closing for the conveyance of the Property under this Act, the County shall, at its cost, contract for the construction of a security fence located on the boundary between the Property and the adjacent land administered by the Secretary. The fence shall be of materials and standards approved in advance by the Secretary. The Secretary may approve temporary security structures for use during construction phases.

(b) OTHER TERMS.—The Secretary and the County may otherwise effect the purpose of this Act on such additional terms as are mutually acceptable and which are not inconsistent with the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this bill.

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

There was no objection.

Mr. HOLDEN. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 3175 was introduced by Congressman LINCOLN DIAZ-BALART of Florida to facilitate the sale of 2 acres of land at the USDA Agricultural Research Service's Subtropical Horticulture Research Station in Miami-Dade County, Florida. The land would be sold at market value to the county for the purpose of building a fire station in the village of Palmetto Bay, a community of 25,000 people. This area currently faces below-average firefighting response times when compared to other municipalities in the region.

This ARS station was established in 1898 as a plant introduction garden on 6 acres, and it has grown to about 200 acres today. The ARS station has worked with the county and the village to identify land that could be used for the fire station, and I encourage my colleagues to join me in supporting this bill.

I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself as much time as I may consume.

Today I rise in support of H.R. 3175. This bill will allow the Ag Research Service (ARS) to sell 2 acres of land in southeast Florida to the local government of Miami-Dade County, Florida, for the purpose of constructing a new fire station. Current response times for firefighters in the village of Palmetto Bay and South Coral Gables have fallen below the district-wide average, and there is a safety concern for local residents and neighborhoods. ARS has no current use for the land and supports the sale of the fire station, as does local government and local residents. Miami-Dade County will pay market price for the land along with all associated costs.

The Congressional Budget Office has scored H.R. 3175 at no cost to the Federal Government. This bill passed the Agriculture Committee with no opposition, and I ask my colleagues to support this legislation.

I reserve the balance of my time.

Mr. HOLDEN. Mr. Speaker, I have no further requests for time, so I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I would like to yield 4 minutes to Congressman LINCOLN DIAZ-BALART of Florida.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my dear friend, Ranking Member LUCAS, for the time as well as Mr. HOLDEN, and they've summarized the legislation well. I introduced this bill, H.R. 3175, to direct the Secretary of Agriculture to sell approximately 2 acres to Miami-Dade County so that a fire station can be built. It is an issue of great importance to the community. The southern portion of the district that I'm honored to represent, covering the village of Palmetto Bay and the city of Pinecrest, continues to grow rapidly. Due to the population growth, public services have been stretched, and fire response times, as Mr. LUCAS pointed out, have fallen below the district average.

This morning I met with distinguished leaders from the village of Palmetto Bay. They reiterated to me the urgent need for this fire station in our south Miami-Dade County community. So this problem really deals with the issue that new construction for public services in Miami-Dade is confronting a lack of available land. The USDA station currently occupies, as Mr. HOLDEN pointed out, approximately 200 acres in southeast Florida with plenty of land to spare.

So, Mr. Speaker, the citizens of my community were not asking for a handout, as Mr. LUCAS was pointing out. The county is going to pay fair market value for the land, along with all associated fees, and they have committed to completely funding the construction of the fire station. The CBO has scored the bill at no cost to the taxpayer. So again, I would like to thank Chairman PETERSON and Ranking Member LUCAS for their prompt action on the bill. I also wish to thank my dear colleagues from south Florida who have cosponsored the bill, Congresswoman ROS-LEHTINEN, who will shortly address the House, Congresswoman WASSERMAN SCHULTZ, Congressman MARIO DIAZ-BALART, and KENDRICK MEEK. I urge passage of the legislation.

Mr. HOLDEN. I will continue to reserve, Mr. Speaker.

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the Congresswoman from Florida, Ms. ROS-LEHTINEN.

Ms. ROS-LEHTINEN. I thank my colleague from Oklahoma for the time, and I thank my friend and colleague from Florida, LINCOLN DIAZ-BALART, for introducing this important bill and for getting it to the floor today in such

a prompt manner. Our congressional districts share a border, and this piece of land to be conveyed to Miami-Dade County actually sits just about on that very border.

But regardless of congressional districts, the conveyance of this property will be of great benefit to all of the residents in south Florida, particularly for the families living in Pinecrest, Palmetto Bay and Cutler Bay. This land will soon bring them increased safety and important peace of mind. Miami-Dade County expects to build the only fire station that would be equipped to swiftly address emergency situations in these communities. I'm a local resident of this area myself, so I can say that we have all too long needed this fire station.

I commend Congressman DIAZ-BALART as well as the House for swiftly moving this bill to make the lands available for its creation. I must point out that the fire station would be nothing without the brave men and women who will serve there. Our firefighters put their lives on the line for us each and every day, and I know that all of south Florida thanks them for their supreme dedication.

Along with my colleague Congressman LINCOLN DIAZ-BALART, I also had the opportunity of meeting with the leaders of the Palmetto Bay community, and they strongly support this bill that will go a long way to ensuring the safety and well-being of all of our residents. I thank Mr. LUCAS for the time, and I thank Mr. DIAZ-BALART for his leadership.

Mr. HOLDEN. I continue to reserve, Mr. Speaker.

Mr. LUCAS. Mr. Speaker, we have no further speakers. I yield back the balance of my time.

Mr. HOLDEN. Mr. Speaker, I urge passage of the bill and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and pass the bill, H.R. 3175.

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

A motion to reconsider was laid on the table.

LOUISIANA FOREST LAND CONVEYANCE

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 940) to provide for the conveyance of National Forest System land in the State of Louisiana.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 940

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

SECTION 1. FINDINGS AND DEFINITIONS.

(a) FINDING.—Congress finds it in the public interest to authorize the sale of certain federally owned land in the Kisatchie National Forest in Louisiana for market value consideration.

(b) DEFINITIONS.—As used in this Act:

(1) The term ''Collins Camp Properties'' means Collins Camp Properties, Incorporated, a corporation existing under the laws of the State of Louisiana.

(2) The term ''Secretary'' means the Secretary of Agriculture.

SEC. 2. AUTHORIZATION TO SELL LAND.

(a) AUTHORIZATION.—Subject to valid existing rights and subsection (b), the Secretary is authorized to sell by quitclaim deed the following lands in the State of Louisiana at public or private sale, including by competitive sale by auction, bid or otherwise:

(1) All federally owned lands within section 9, Township 10 North, Range 5 West, in Winn Parish, Louisiana.

(2) A parcel of land consisting of 2.16 acres situated in the SW¼ of section 4, Township 10 North, Range 5 West, Winn Parish, Louisiana, as more specifically depicted on a certificate of survey dated March 7, 2007, by Glen L. Cannon, P.L.S. 4436.

(b) FIRST RIGHT OF PURCHASE.—Subject to valid existing rights and the provisions of section 4, for a period of one year after the date of enactment of this Act, upon tender of consideration from the Collins Camp Properties, the Secretary shall sell and quitclaim to said corporation all right, title and interest of the United States in—

(1) up to 47.92 acres within section 9, Township 10 North, Range 5 West, in Winn Parish, Louisiana, as generally depicted on a certificate of survey dated February 28, 2007, by Glen L. Cannon, P.L.S. 4436, said land comprising the Collins Campsites; and

(2) the 2.16 acres described in subsection (a)(2).

(c) TERMS AND CONDITIONS.—The Secretary may configure the lands to maximize marketability or achieve management objectives, and may prescribe such terms and conditions on the land sales authorized by this Act as the Secretary deems in the public interest.

(d) CONSIDERATION.—Land sales authorized by this Act shall be for cash consideration equal to the market value of the land.

(e) MARKET VALUE.—The market value of the land sold under this Act shall be as determined by an appraisal approved by the Secretary and done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions; or, if sold by means other than that provided in subsection (b), market value may be determined by competitive sale.

(f) HAZARDOUS SUBSTANCES.—(1) In any disposal of lands authorized by this Act, the Secretary shall meet disclosure requirements for hazardous substances, but shall otherwise not be required to remediate or abate those substances.

(2) Nothing in this section shall otherwise affect the application of the Comprehensive Environmental Response, Compensation and Liability Act (''CERCLA'', 42 U.S.C. 9601, and following) to conveyances of lands out of Federal ownership.

SEC. 3. PROCEEDS FROM THE SALE OF LAND.

(a) DEPOSIT OF RECEIPTS.—The consideration received by the Secretary for the sale of land under this Act shall be deposited into the account in the Treasury of the United States established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(b) USE OF FUNDS.—Monies deposited pursuant to subsection (a) shall be available to the Secretary until expended, without further appropriation, for the acquisition of lands and interests in land in the Kisatchie National Forest in Louisiana.

SEC. 4. MISCELLANEOUS PROVISIONS.

(a) COSTS.—The Secretary shall require the Collins Camp Properties to pay at closing the reasonable costs of appraisal and any administrative and environmental analyses required by law or regulation.

(b) PERMITS.—An offer by Collins Camp Properties shall be accompanied by written statements from holders of Forest Service special use authorizations agreeing to relinquish their authorizations upon a sale to Collins Camp Properties. For any holder not providing such written authorization, the Secretary shall require the Collins Camp Properties to administer such authorization according to its terms until the date of expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this bill.

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

There was no objection.

Mr. HOLDEN. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 940 was introduced by Congressman RODNEY ALEXANDER of Louisiana. This bill would authorize the Forest Service to sell certain residential parcels of land in the Kisatchie National Forest, located in Winn Parish, Louisiana. The total land sold would be just over 50 acres, and a local nonprofit group already living in residence on the site would have the right of first refusal to purchase the land at fair market value. H.R. 940 has the bipartisan support of all seven members of the Louisiana congressional delegation as well as the support of the U.S. Forest Service, and I urge its passage.

I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H.R. 940, a bill which gives the Secretary of Agriculture the authority to sell 50 acres of national forest land along the Lower Saline Lake in the State of Louisiana. The bill, drafted with the assistance and support of the Forest Service, gives the first option to purchase this tract to a group of residents who already own cabins on the land.

The sale of 50 acres relieves the Forest Service from the burden of performing maintenance and cleanup of the land and gives the task to private citizens who are ready and willing to assume this responsibility. CBO has scored this bill, and it will not have a cost for the taxpayers. The purchaser of the land will be responsible for all costs and fees associated with the transaction, further ensuring that the taxpayers will not be forced to pay for this legislation. This bill passed out of

the House Agriculture Committee unanimously, and I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. HOLDEN. Mr. Speaker, I have no further requests for time, so I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield to the gentleman from Louisiana (Mr. ALEXANDER) for whatever time he may consume.

Mr. ALEXANDER. Thank you for yielding to me. Mr. Speaker, I want to thank the ranking member, the chairman and the members of the committee for passing this important piece of legislation. The entire Louisiana delegation are cosponsors of this. The National Forest Service is in support of it. In fact, they provided the language that is in this bill. As it's been said, CBO has scored it as zero. From the sale of this land, the proceeds will go back to the National Forest Service for money that they have spent over the years, providing maintenance for this 50 acres of land that will be sold to this not-for-profit group.

Mr. HOLDEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, the minority has no further speakers; therefore, I yield back the balance of my time.

Mr. HOLDEN. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and pass the bill, H.R. 940.

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

A motion to reconsider was laid on the table.

□ 1430

RECOGNIZING THE IMPORTANCE AND SUSTAINABILITY OF THE UNITED STATES HARDWOODS INDUSTRY

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 81) recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program directed at constructing environmentally preferable commercial, public, or private buildings.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 81

Whereas hardwood trees grown in the United States are an abundant, sustainable, and legal resource, as documented by annually by the Forest Inventory and Analysis Program of the United States Forest Service;

Whereas, despite development pressure and cropland needs, Department of Agriculture data shows that the inventory of United States hardwood has more than doubled over the past 50 years;

Whereas the Department of Agriculture reports that annual United States hardwood growth exceeds hardwood removals by a significant margin of 1.9 to 1, and net annual growth has exceeded removals continuously since 1952;

Whereas the World Bank ranks the United States in the top 10 percent of all countries for government effectiveness, regulatory quality, and rule of law with respect to hardwood resources;

Whereas United States hardwoods have been awarded the highest conservation crop rating available under the Department of Agriculture Environmental Benefits Index;

Whereas United States hardwoods are net absorbers of carbon and are widely recognized to be critical to reducing the United States carbon footprint;

Whereas United States hardwoods are a valuable raw material which, when utilized properly, provide an incentive for landowners to maintain their land in a forested condition rather than clearing the land for development or other alternative land use;

Whereas United States hardwoods are a renewable resource and bio-based material;

Whereas United States hardwoods are recyclable, and hardwoods used in construction can often be restored and reused in later construction;

Whereas United States hardwoods are grown primarily in those States located along or east of the Mississippi River and in the Pacific Northwest, but, with a presence in every State, the hardwood industry is one of the major sources of economic activity and sustenance in many rural communities;

Whereas United States hardwoods are grown by thousands of small family landowners who may harvest trees only once or twice in a generation; and

Whereas United States hardwoods and the products derived from United States hardwoods are prized throughout the world as a superior and long-lasting building material: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that United States hardwoods are an abundant, sustainable, and legal resource under the United States rule of law; and

(2) urges that United States hardwoods and products derived from United States hardwoods should be given full consideration in any program directed at constructing environmentally preferable commercial, public, or private buildings.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this resolution.

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

There was no objection.

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

Mr. Speaker, H. Res. 81 recognizes the importance of the U.S. hardwoods industry and recognizes the value of sustainable, abundant hardwoods as an important building material.

In the United States hardwood trees are grown primarily by small-family forest landowners who use long-term sustainable practices to grow and manage their trees.

I encourage my colleagues to support this resolution recognizing the important role of hardwood producers in the United States of America.

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

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

Mr. Speaker, I rise in support of the resolution offered by the gentleman from Indiana. The hardwood industry is an important industry for many rural communities across the country, employing more than 500,000 people in all 50 States. The products of this industry are a part of our daily lives. Indeed, we can see the products of their labor in this very Chamber.

Mr. Speaker, this resolution calls for any future green building programs to give full consideration to the inclusion of hardwood material. This is a commonsense idea to allow the clean, renewable resources to be included in any program that promotes environmentally friendly construction of public and private buildings.

The hardwood industry is of vital economic importance to hundreds of thousands of families across rural America, and I believe it's important to show these families that we appreciate the work they do and the responsible manner in which they cultivate their natural resources.

I urge my colleagues to support this resolution.

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

Mr. HOLDEN. Mr. Speaker, at this time I yield 4 minutes to the gentleman from Indiana (Mr. ELLSWORTH).

Mr. ELLSWORTH. I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, I rise today in support of House Resolution 81, which recognizes the importance and sustainability of the United States hardwoods industry. I introduced this resolution along with Congressman Geoff Davis of Kentucky and a group of our colleagues from across the country. This bipartisan support demonstrates the national importance of our domestic hardwood lumber industry, and I am pleased this Congress is recognizing the contributions the hardwood industry makes to both our economy and our environment.

Hardwood forest owners are stewards of a valuable national resource, and their efforts to conserve hardwood forests have been a remarkable success. Over the last 50 years, hardwood lumber stocks have more than doubled and hardwoods continue to grow almost twice as fast as they are harvested. The U.S. Forest Service analysis supports the evidence of this strong conservation record: the Forest Service's forest

inventory and analysis program has documented hardwood trees to be an ''abundant, sustainable, and legal resource.''

Our hardwood forests are managed by thousands of small landowners and families who take care of this resource. Constituents of mine in southwest Indiana play a role in maintaining our hardwood stocks, and the same is true both throughout Indiana and across this country. Americans should be proud of this strong environmental record, and as Members of Congress, we ought to keep this fact in mind as we look for opportunities to support best practices in stewardship and environmental management.

For example, environmentally preferable construction programs are increasingly important to the building and trade industry; and should Congress direct support for these programs, we should remember domestic hardwoods and their potential to contribute to an environmentally friendly future. I was proud the House passed an amendment I offered to H.R. 2187 earlier this year to preserve sustainable hardwood lumber as a green construction resource for local school districts.

I thank my colleagues for their support of this resolution and of the domestic hardwood lumber industry.

Mr. LUCAS. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today in support of H. Res. 81, a resolution that recognizes the importance and sustainability of the United States hardwood industry and urges that the United States hardwoods and the products derived from U.S. hardwoods be given full consideration in any program that's directed at constructing environmentally preferable commercial, public, or private buildings.

As the title of the resolution indicates, we feel it's important that Congress recognizes the importance and sustainability of U.S. hardwoods and the industry as a whole. This is especially imperative as Congress considers changes to existing or new programs and standards that include green building requirements or guidelines. Green buildings are designed to cut down on energy costs and encourage the use of sustainable or renewable resources to protect our environment. What better renewable resource than American-grown hardwood? Hardwoods meet both of these criteria and must be included in any congressional initiative that encourages or requires the construction of environmentally friendly buildings.

In addition to playing a key role in green building, the hardwood industry is one that has created thousands of jobs in nearly every State and in hundreds of congressional districts. In Kentucky we have over 1,200 hardwood businesses alone, as well as over 100 in Kentucky's Fourth District. Two that I would point out would be GreenTree Forest Products in Fleming County, Kentucky, which employs hundreds of local people in the Buffalo Trace counties of central Kentucky and also harvests plants, sustains and renews its fiber hardwood products in that area; and Northland Corporation, a finishing operation that produces very high-quality hardwoods from the State and the region that are exported to the entire world as part of the global economy.

At a time when unemployment has increased to a staggering 11 percent in Kentucky and 9.6 percent nationwide, it's crucial that we support the many small hardwood industry businesses that keep our communities going, create local jobs, and keep people employed.

I would like to thank the gentleman from Indiana (Mr. ELLSWORTH) for working with me on this bipartisan resolution. I would also like to thank our 51 cosponsors for helping us to get this resolution to the floor, including my fellow Kentuckians, Congressmen Rogers, Whitfield, Chandler, and Guthrie.

H. Res. 81 is an important statement acknowledging the environmental attributes of hardwoods, as well as the importance of this industry for jobs in our communities. I urge support for the resolution.

Mr. HOLDEN. Mr. Speaker, I now yield 3 minutes to the gentleman from Mississippi (Mr. CHILDERS).

Mr. CHILDERS. I thank the gentleman for yielding.

Mr. Speaker, today I am also proud to be a cosponsor of House Resolution 81 and see this important measure brought to the floor for a vote.

I represent Mississippi's First Congressional District, a district strong in forestry and timberland. This industry is dominated by small-based, family-owned businesses which will benefit from the passage of this resolution. These small landowner businesses often have fewer than 50 acres, much of which may at one time have been crop or cattle farm. Many landowners have rededicated these lands solely to the production of timber. These timber stands are valuable long-term investments which expand to job opportunities in a myriad of related businesses: sawmills, logging, trucking, insurance, and many others.

Hardwood lumber growers and manufacturers in Mississippi's First District are valuable members of the communities in which they live and, like many others in Mississippi, have children and grandchildren who hope to stay in these businesses and continue to enjoy all that life offers closer to home. Hardwood timber stands are a critical part of savings and investment for many of my First District families. Without strong markets for lumber, those investments would plummet.

House Resolution 81 will help ensure stronger markets without government intrusion. Instead, we are offering a strong statement from the House that this private enterprise industry is one which should continue to reap the rewards of decades of good business decisions and stewardship of the land.

The benefits of Mississippi hardwoods are much the same as the benefits enjoyed in nearly every State of the union, from the sheer beauty these forests offer to the hundreds of good jobs tied to them. I urge my colleagues to join me in voting ''yes'' on this important measure.

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

Mr. HOLDEN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. PERRIELLO).

Mr. PERRIELLO. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of recognizing the importance of sustaining the United States hardwoods industry.

As an Eagle Scout growing up in the shadow of the Blue Ridge Mountains, I developed a deep respect for our country's great natural resources. Today we will recognize that our hardwood industry also plays a crucial role in sustaining not just the local economies of our Nation but many of the counties in central and Southside, Virginia. Across the Commonwealth of Virginia, over 180,000 jobs are provided in the forest products industry, a number that must be maintained during these tough economic times.

The impact of hardwood as an industry in Southside, Virginia, includes businesses like Columbia Forest Products, which produces a formaldehyde-free hardwood plywood, and also Swedwood, the first Ikea manufacturing plant in the United States. I am committed to continuing my work to put Southside, Virginia, at the forefront of advanced wood products manufacturing. This includes the Danville Community College's Center for Advanced Manufacturing in Wood Products Technology and ensuring that forestry is given its due consideration in carbon offsets and efforts for this country's energy independence. Products from our forestry industry provide innovative ways to continue on the path to energy independence while maintaining American jobs.

I thank Mr. ELLSWORTH and other colleagues and other allies for their support of the hardwood industry.

Mr. LUCAS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HOLDEN. Mr. Speaker, I urge adoption of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and agree to the resolution, H. Res. 81.

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

A motion to reconsider was laid on the table.

PISGAH NATIONAL FOREST BOUNDARY ADJUSTMENT ACT OF 2009

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1002) to adjust the boundaries of Pisgah National Forest in McDowell County, North Carolina.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1002

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 ''Pisgah National Forest Boundary Adjustment Act of 2009''.

SEC. 2. BOUNDARY ADJUSTMENT, PISGAH NATIONAL FOREST, NORTH CAROLINA.

(a) BOUNDARY ADJUSTMENT.—The boundaries of Pisgah National Forest in McDowell County, North Carolina, are hereby modified to include a parcel of land consisting of approximately 301 acres, of which approximately 213 acres are owned by the United States and administered by the Forest Service, as generally depicted on the map entitled ''Proposed Proclamation Boundary Change, Grandfather Ranger District, Pisgah National Forest'' and more particularly delineated and described according to the final boundary adjustment map and boundary description prepared by the Forest Service.

(b) AVAILABILITY AND CORRECTION.—The maps referred to in subsection (a) shall be on file and available for public inspection in the Office of the Regional Forester, Atlanta, Georgia. The Secretary of Agriculture may make minor corrections to the maps.

(c) LAND ACQUISITION.—Subject to the appropriation of funds to carry out this subsection and the consent of the owner of the private land included within the boundaries of Pisgah National Forest by subsection (a), the Secretary of Agriculture may acquire the private land.

(d) MANAGEMENT OF ACQUIRED LAND.—Any federally owned lands that have been or hereafter may be acquired for National Forest System purposes within the boundaries of Pisgah National Forest, as modified by subsection (a), shall be managed as lands acquired under the Act of March 1, 1911 (commonly known as the Weeks Act), and in accordance with the other laws and regulations pertaining to the National Forest System. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundaries of Pisgah National Forest pursuant to sections 10 and 11 of such Act (16 U.S.C. 519, 521).

(e) RELATION TO LAND AND WATER CONSERVATION FUND ACT.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of Pisgah National Forest, as modified by subsection (a), shall be considered to be boundaries of Pisgah National Forest as of January 1, 1965.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this bill.

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

There was no objection.

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

Mr. Speaker, H.R. 1002 was introduced by Congressman HEATH SHULER of North Carolina. This bill would authorize the Forest Service to purchase privately held land and modify the boundaries of the Pisgah National Forest in McDowell County, North Carolina. This will improve access to Catawba Falls, a prime recreational and tourist site in the region. The Forest Service has already purchased adjacent land for preservation, and this purchase would allow for parking and trailhead expansion in the falls area. A fiscal year 2010 appropriations request was made for the funds needed to purchase this land, and the money was included in the Interior appropriations bill that passed the House on July 7.

H.R. 1002 has the bipartisan support of the entire North Carolina congressional delegation, as well as the support of the U.S. Forest Service, and I support its passage today.

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

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

I rise in support of H.R. 1002. This bill expands the boundary of the National Forest in North Carolina. The expanded boundary will make it possible for the Forest Service to purchase a privately owned parcel of land for the purpose of creating a parking area and trail access. As my colleague has noted, the Forest Service supports this bill and funding is included in the fiscal year 2010 Interior appropriations bill to purchase the land. The bill passed out of committee unanimously. I urge my colleagues to support the bill.

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

Mr. HOLDEN. Mr. Speaker, I yield such time as he may consume to the author of the legislation from North Carolina, Mr. SHULER.

Mr. SHULER. Mr. Speaker, I thank my colleague from Pennsylvania for yielding.

Mr. Speaker, I rise today in strong support of H.R. 1002, the Pisgah National Forest Boundary Adjustment Act of 2009. I would like to thank the chairman and the ranking member for their hard work and their support.

This bill would simply extend the current boundary of the Forest Service to include 213 acres of land that is already owned and maintained by the U.S. Forest Service, as well as 88 acres currently owned by a regional nonprofit land trust.

□ 1445

This bill has bipartisan support from the entire North Carolina delegation, for which I am very grateful.

This bill will help the Federal Government meet several objectives. First, it will clarify the boundary that identifies parcels of land that are already owned by the Forest Service. Secondly, it will help to guarantee the conservation of pristine acreage that promotes water quality as well as tourism in the region of western North Carolina. Third, it will help thousands of visitors each year access Catawba Falls, a uniquely beautiful cascade that is already on Forest Service property.

H.R. 1002 explicitly protects the rights of private property owners. This bill will preserve the natural treasures and make sure that the public has adequate access to publicly owned land. In addition to being cosponsored by the entire North Carolina delegation, this bill has received unanimous and bipartisan support in the House Committee on Agriculture.

I am grateful to all of my colleagues for their support, as well as to the staff of the Committee on Agriculture for all of their hard work.

Mr. LUCAS. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank my colleague for yielding me this time, and I offer my support to my colleague from North Carolina for the bill he has put forward.

I rise today to speak on issues of forestry, and specifically to House Resolution 81 which recognizes the importance and sustainability of the U.S. hardwoods industry.

My rural district in Pennsylvania is comprised of sprawling forest lands and the Allegheny National Forest. For generations, the economic engine of this region has been oil and gas production and the harvesting of some of the finest hardwoods in the country.

American hardwoods are valued here and around the world for their natural beauty, long life, sustainability, and many applications from furniture to flooring to musical instruments.

There are more than 100 privately owned businesses in my district. Most are family owned, whose well-being and the well-being of their employees are dependent upon the American hardwoods. More than a billion dollars in hardwoods and hardwood products are exported from the United States each year. Even with this growing market demand, the supply of hardwood resources has continued to grow as forests, both public and private, are managed for growth and harvest.

In addition to the enormous economic benefits which the timber industry has on our rural economy, timber harvesting in Pennsylvania is an essential part of forest health and management efforts. For example, when decaying timber or wood waste is removed from the forest floor, it creates a much fuller and more vibrant forest in the long run. Forest management helps to create a stronger carbon sink than an unmanaged forest.

In addition, the U.S. Forest Service spends $2 billion per year, half their

budget, fighting wildfires. I believe that better and increased management will help to reduce the regularity and severity of these all-too-frequent disasters. In short, the timber industry is an important component in forest management and health.

As a cosponsor of the legislation, House Resolution 81, I ask my colleagues to join me in voting ''yes'' on that piece of legislation and honor an industry which benefits our economy and our forest health.

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

Mr. LUCAS. Mr. Speaker, having no additional speakers, I yield back the balance of my time.

Mr. HOLDEN. Mr. Speaker, I urge adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and pass the bill, H.R. 1002.

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

A motion to reconsider was laid on the table.

21ST CENTURY FHA HOUSING ACT OF 2009

Mr. ADLER of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3146) to make improvements to the FHA mortgage insurance programs of the Department of Housing and Urban Development, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3146

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 ''21st Century FHA Housing Act of 2009''.

SEC. 2. MORTGAGE INSURANCE FOR CONDOMINIUMS.

Section 203 of the National Housing Act (12 U.S.C. 1709) is amended by adding at the end the following new subsection:

''(y) INAPPLICABILITY OF ENVIRONMENTAL REVIEW PROVISIONS.—In insuring, under this section, any mortgage described in section 201(a)(C), the Secretary shall not be subject to the conditions of, or review under, the National Environmental Policy Act of 1969 or any other provision of law that furthers the purposes of such Act.''.

SEC. 3. ENERGY EFFICIENT MORTGAGES.

Section 106(a)(2)(C) of the Energy Policy Act of 1992 (42 U.S.C. 12712 note) is amended—

(1) in clause (i), by inserting ''(i)'' after ''(A)'' each place such term appears; and

(2) in clause (ii), by striking ''203(b)(2)(B)'' and inserting ''203(b)(2)(A)(ii)''.

SEC. 4. MODERNIZATION OF WORKFORCE AND RESOURCES.

Section 202 of the National Housing Act (12 U.S.C. 1708) is amended by adding at the end the following new subsections:

''(g) PERSONNEL.—

''(1) IN GENERAL.—Notwithstanding section 502(a) of the Housing Act of 1948 (12 U.S.C. 1701c(a)), the Secretary may appoint and fix the compensation of such officers and employees of the Department as the Secretary considers necessary to carry out the functions of the Secretary under this Act and any other functions of the Federal Housing Administration. Such officers and employees may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates.

''(2) COMPARABILITY OF COMPENSATION WITH FEDERAL FINANCIAL REGULATORY AGENCIES.—In fixing and directing compensation under paragraph (1), the Secretary shall consult with, and maintain comparability with compensation of officers and employees of the Federal Housing Finance Agency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation.

''(3) PERSONNEL OF OTHER FEDERAL AGENCIES.—In carrying out the functions referred to in paragraph (1), the Secretary may use information, services, staff, and facilities of any executive agency, independent agency, or department on a reimbursable basis, with the consent of such agency or department.

''(4) OUTSIDE EXPERTS AND CONSULTANTS.—The Secretary may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, to assist the work of the Department in carrying out the functions referred to in paragraph (1).

''(h) INFORMATION TECHNOLOGY.—

''(1) IN GENERAL.—In carrying out any program under this Act or any other program of the Federal Housing Administration, the Secretary may utilize any amounts as may be made available for such programs to ensure that an appropriate level of investment in information technology is maintained in order for the Secretary to upgrade the technology systems of the Department used in carrying out the functions referred to in subsection (g)(1).

''(2) USE OF PREMIUM-GENERATED INCOME.—To the extent that income derived in any fiscal year from premium fees charged under section 203(c) is in excess of the level of income estimated for that such year for such premium fees and assumed in the baseline projection prepared by the Director of the Office of Management and Budget for inclusion in the President's annual budget request and subject to approval in advance in an appropriation Act, not more than $72,000,000 of such excess amounts may be used from such amounts for the purpose of carrying out this subsection.

''(i) TRAINING AND EDUCATION PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall carry out a comprehensive training and education program to improve the service provided by personnel of the Department carrying out functions referred to in subsection (g)(1) to users of the mortgage insurance programs under this Act and any other FHA mortgage insurance programs.

''(2) TOPICS.—The training and education program under this subsection shall—

''(A) have as its primary goal improving the quality and consistency of responses provided by such personnel of the Department headquarters and other offices and centers of the Department regarding regulations, handbooks, mortgagee letters, and other guidance; and

''(B) be designed to—

''(i) ensure that lenders participating in the FHA programs may rely on information provided by one office or center of the Department when doing business with a different office or center; and

''(ii) prevent such lenders from soliciting answers to the same question from different offices or centers of the Department in an attempt to obtain an answer that is satisfactory to the lender, by ensuring consistent responses from different offices and centers.''.

SEC. 5. RISK MANAGEMENT IMPROVEMENTS.

(a) REVIEW OF DELINQUENCIES AND LENDER MONITORING.—Section 202 of the National Housing Act (12 U.S.C. 1708), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(j) RISK MANAGEMENT IMPROVEMENT.—

''(1) REVIEW OF DELINQUENCIES AMONG RECENT ORIGINATIONS.—

''(A) IN GENERAL.—The Secretary shall conduct an ongoing review of mortgages on single family housing originated during the preceding 12 months and insured pursuant to this Act under which the mortgagor has become 60 or more days delinquent with respect to payment under the mortgage during the first 90 days of the term of the mortgage to determine which mortgages should not have been originated or insured and the characteristics of such mortgages, and which lenders have relatively high incidences of such delinquent mortgages;

''(B) REPORTING TO CONGRESS.—Not later than 90 days after the date of enactment of the 21st Century FHA Housing Act of 2009, the Secretary shall make available to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate any information and conclusions pursuant to the review required under subparagraph (A).

''(C) SUFFICIENT RESOURCES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2010 through 2014 the amount necessary to provide 90 additional full-time equivalent positions for the Department, or for entering into such contracts as are necessary, to conduct reviews in accordance with the requirements of this section.

''(2) LENDER MONITORING.—In conducting monitoring and analysis of the performance of lenders for mortgages on single family housing insured under this Act, the Secretary shall utilize a one-year period for such monitoring and analysis, to promote earlier identification of problem lenders and allow earlier intervention and sanctions.''.

(b) ANALYSIS OF MORTGAGE PERFORMANCE.—Section 203(g)(2) of the Helping Families Save Their Homes Act of 2009 (12 U.S.C. 1708 note) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2)(B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(3) analyze the portion of mortgages randomly reviewed pursuant to subparagraph (B) on the basis of performance.''.

SEC. 6. SENSE OF CONGRESS REGARDING ADEQUATE CAPITAL FLOW FOR MORTGAGE LOANS.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) warehouse lending, which provides short-term lines of credit to non-depository lenders for mortgage loans that are eventually sold into the secondary market to Fannie Mae, Freddie Mac and Ginnie Mae, is a critical link in the housing finance chain;

(2) according to data obtained pursuant to the Home Mortgage Disclosure Act of 1975, nondepository lenders that utilize warehouse lines of credit account for as much as 40 percent of all residential mortgage loans in the United States, and nearly 55 percent of FHA loans, which are increasingly popular;

(3) it is estimated that since 2006 warehouse lending capacity available to the mortgage lending industry has declined by

nearly 90 percent to the current level of approximately $20 billion to $25 billion;

(4) based upon projected 2009 lending volume, there could be a shortfall of hundreds of billions of dollars in home mortgage availability caused by a lack of warehouse lending capacity; and

(5) unless Federal regulators promptly address the issue, borrowers seeking to take advantage of today's low interest rates will face rising costs and reduced credit access, which could undermine the housing market recovery.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the Secretary of the Treasury, the Secretary of Housing and Urban Development, and the Director of the Federal Housing Finance Agency should use their existing authorities under the Emergency Economic Stabilization Act of 2008, the Housing and Economic Recovery Act of 2008, and other statutory and regulatory authorities to provide financial support and assistance to facilitate increased warehouse credit capacity by qualified warehouse lenders;

(2) such financial support and assistance should—

(A) be used only to expand the amount of credit or lending capacity made available to qualified mortgage lenders by qualified warehouse lenders for the purpose of funding residential mortgage loans;

(B) be provided in such form and manner as such Secretaries or the Director, as applicable, consider appropriate, which might include direct loans, guarantees, credit enhancement, and other incentives; and

(C) comply with other requirements established by such Secretaries or the Director, as applicable.

(c) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) QUALIFIED MORTGAGE LENDER.—The term ''qualified mortgage lender'' means an entity that—

(A) is engaged in the business of making mortgage loans for one- to four-family residences that are—

(i) insured under title II of the National Housing Act (12 U.S.C. 1707 et seq.);

(ii) guaranteed, insured, or made under chapter 37 of title 38, United States Code;

(iii) made, guaranteed, or insured under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.); or

(iv) eligible for purchase by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation; and

(B) is not a depository institution.

(2) QUALIFIED WAREHOUSE LENDER.—The term ''qualified warehouse lender'' means an entity that extends credit to qualified mortgage lenders for the purpose of originating mortgage loans described in paragraph (1)(A), or that otherwise facilitates the origination of such loans by a qualified mortgage lender.

SEC. 7. FORECLOSURE AVOIDANCE INITIATIVES.

Section 230 of the National Housing Act (12 U.S.C. 1715u) is amended by inserting after subsection (d) the following new subsection:

''(e) FORECLOSURE AVOIDANCE DEMONSTRATION PROGRAMS.—The Secretary may carry out such demonstration programs as the Secretary from time to time determines are appropriate to demonstrate the effectiveness of alternative methods of avoiding foreclosure on mortgages insured under this title, including methods involving short sales and deeds in lieu of foreclosure, and such methods may involve partial or full payment of insurance benefits to the mortgagee.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. ADLER) and the gentleman from New York (Mr. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. ADLER of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which 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 New Jersey?

There was no objection.

Mr. ADLER of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to start by thanking the Republican lead on this bill, the gentleman from New York (Mr. LEE) for his hard work on this important issue. This is the sort of example of bipartisanship that I think the American people expect from us, and I am happy that in this case Mr. LEE and I could work together to try to bring some good relief to the American people.

I introduced H.R. 3146, the 21 Century FHA Housing Act earlier this year with bipartisan support to provide the Federal Housing Administration with the necessary tools to serve taxpayers during these challenging economic times.

FHA is currently one of the primary sources for safe, affordable mortgage financing for American families. During recent years, as private lenders have fled the market, the demand for FHA markets have grown exponentially. Its market share has ballooned from less than 3 percent of the market in 2006 to 23 percent of all mortgages today. We need to ensure that the FHA is able to meet this need efficiently and honestly.

Like most Americans, I am tired of hearing about more waste, fraud, and abuse in Washington or around the country. That is why the 21 Century FHA Housing Act is so very important. The bill will take steps to fix these problems and protect American taxpayers. It gives the FHA the authority to attract personnel with the skills and experience necessary to manage the increase in business. In addition, the FHA must be given sufficient resources to maintain the ability to enforce high underwriting and oversight standards and operate safely and effectively.

Enforcing high underwriting standards will yield safer products and protect the American taxpayer. We need to ensure that government programs are efficient and working on behalf of hardworking middle class families. With this increase in market share, comes an increase in risk. That is why this bill directs the Housing and Urban Development secretary to conduct an ongoing review of at-risk mortgages and provide a report to Congress on ways to improve at-risk management. This report will also make it easier to identify rogue predatory lenders and eliminate waste, fraud, and abuse in the FHA system.

Mr. Speaker, the FHA is helping to provide credit to eligible homeowners within a marketplace where many credit lines are frozen. But it is imperative that these loans are good for families, our economy, and taxpayers. Failure to pass this bill may open the door for more of the mortgage fraud and abuse that helped cause the recent economic recession from which America is still suffering.

I reserve the balance of my time.

Mr. LEE of New York. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 3146, the 21 Century FHA Housing Act of 2009. I want to thank my colleague from New Jersey (Mr. ADLER) for helping to drive this legislation. It will get the job done, and it is about time we start doing what the American people want. I think this is a wonderful piece of bipartisan legislation that will take important steps towards restoring the stability of our housing market and helping our overall economic recovery.

While western New Yorkers never had a housing boom to bust, I still often hear from my constituents who have been responsible homeowners and who are increasingly frustrated by the level of fraud and abuse in our mortgage system. Western New Yorkers understand you cannot take risks without accepting the consequences. We have all seen the aftereffects of irresponsible lenders, and Congress has rightfully looked at outdated mortgage structures to ensure responsible homeowners have access to safe and affordable mortgages without burdening them with the mistakes of others. That's why we have crafted legislation to address this pressing need in the current mortgage market.

In order to ensure a stable housing market and help first-time home buyers, we need to modernize the Federal Housing Administration, which is now one of the primary sources of mortgage financing. It is imperative that the FHA has the resources it needs to effectively oversee mortgages and ensure that no bad actors are allowed to function in this marketplace.

During recent years, as private lenders have fled the market, the demand for FHA mortgages grew exponentially. FHA mortgages tripled in 2008, and in 2009 the amounts are expected to exceed $290 billion.

In order to effectively meet the new influx of work, several legislative changes are needed to modernize the system. H.R. 3146 will address concerns about proper review and oversight of FHA lenders and loans by improving target reviews of loan performances.

In addition, this legislation ensures that FHA has the staff, the technology, and risk management processes in place to protect American taxpayers from unacceptable losses.

Finally, the measure provides the HUD Secretary with the authority to implement new and innovative ideas to minimize foreclosures going forward.

We cannot keep this dream of homeownership alive and within reach of working families unless we have an FHA that works better.

Again, I want to express my appreciation to my friend and colleague from New Jersey for his cooperation in crafting this measure. It is important for the American people to see that both parties are working together on this vital issue. I urge immediate passage of H.R. 3146.

I reserve the balance of my time.

Mr. ADLER of New Jersey. Does the gentleman yield back?

Mr. LEE of New York. I have no more speakers, but I yield myself the balance of my time to close.

When I looked at this piece of legislation going back several months ago, it was very important that we found a solution for this. I talked to constituents in my district, and they are so hard-pressed dealing with other forms of lending and getting FHA stable, it was incredibly important, as was the idea of making sure that we use taxpayer dollars wisely.

We were fortunate enough from the hearings to understand some of the challenges that FHA has had in terms of technology, and the fact that we really haven't funded this program to its fullest extent by not having enough staff in support of FHA, thereby the potential for fraud or waste or abuse has risen, and that's why, again, taking a piece of legislation like this and moving it forward is incredibly important.

As I look forward to trying to move this along, I know people in our district will be pleased, not only in my district but throughout the country, that we are pushing this type of bipartisan legislation.

Mr. ADLER has taken a very firsthand approach in trying to ensure that this happens.

At this time, I yield back the balance of my time.

Mr. ADLER of New Jersey. Mr. Speaker, I want to echo the comments of my friend, Mr. LEE from New York. We really did work in a bipartisan way to address a problem to save taxpayers from the waste, fraud, and abuse that I think frustrates so many Americans.

Many of America's economic problems are due to problems experienced within the housing market. The 21 Century FHA Housing Act of 2009 will make significant enhancements to FHA and will enable the administration to better manage the portfolio of loans and eliminate some of that waste, fraud, and abuse that frustrates us so very, very much.

As FHA steps into the void created by the predatory lenders, these improvements will be increasingly important. I urge all of my colleagues to support this important bill.

SEPTEMBER 14, 2009.

Hon. JOHN ADLER,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN ADLER: The undersigned organizations, representing the real estate industry, urge your support of H.R. 3146, the "21st Century FHA Housing Act of 2009." This bill will modernize the Federal Housing Administration (FHA), allowing it to continue to offer safe, affordable mortgages to American families, at no cost to taxpayers.

Despite FHA's growing role in the market, FHA's technology and infrastructure are far behind the times. To better serve American consumers and protect taxpayer interest, immediate changes need to be made. Computer systems must be upgraded, and sufficient staff be hired to handle all the responsibilities of an agency that is meeting the needs of so many American homebuyers.

Additionally, we support efforts to strengthen warehouse lending in ways that would allow the marketplace to continue to meet the demand for single-family and multifamily mortgage products. Consumers benefit the most when there is competition in the market and full access to credit.

H.R 3146 will allow FHA to continue its modernization, utilize all of its mortgage programs, and assure that homeowners have affordable safe options for homeownership. We urge you to quickly pass this important legislation to update FHA's programs to address the pressing needs of the current mortgage market.

Sincerely,

Mortgage Bankers Association, National Association of Homebuilders, National Association of REALTORS®.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. ADLER) that the House suspend the rules and pass the bill, H.R. 3146, as amended.

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

A motion to reconsider was laid on the table.

□ 1500

FHA MULTIFAMILY LOAN LIMIT ADJUSTMENT ACT OF 2009

Mr. ADLER of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3527) to increase the maximum mortgage amount limitations under the FHA mortgage insurance programs for multifamily housing projects with elevators and for extremely high-cost areas, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3527

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 "FHA Multifamily Loan Limit Adjustment Act of 2009".

SEC. 2. FHA MORTGAGE AMOUNT LIMITS FOR ELEVATOR-TYPE STRUCTURES.

(a) AMENDMENTS.—The National Housing Act is amended in each of the provisions specified in subsection (b)—

(1) by inserting "with sound standards of construction and design" after "elevator-type structures" the first place such term appears; and

(2) by striking "to not to exceed" and all that follows through "sound standards of construction and design" each place such terms appear and inserting "by not more than 50 percent of the amounts specified for each unit size".

(b) PROVISIONS AMENDED.—The provisions of the National Housing Act specified in this subsection are as follows:

(1) Subparagraph (A) of section 207(c)(3) (12 U.S.C. 1713(c)(3)(A)).

(2) Subparagraph (A) of section 213(b)(2) (12 U.S.C. 1715e(b)(2)(A)).

(3) Subclause (I) of section 220(d)(3)(B)(iii) (12 U.S.C. 1715k(d)(3)(B)(iii)(I)).

(4) In section 221(d) (12 U.S.C. 1715l(d))—

(A) subclause (I) of paragraph (3)(ii); and

(B) subclause (I) of paragraph (4)(ii).

(5) Subparagraph (A) of section 231(c)(2) (12 U.S.C. 1715v(c)(2)(A)).

(6) Subparagraph (A) of section 234(e)(3) (12 U.S.C. 1715y(e)(3)(A)).

SEC. 3. FHA MORTGAGE AMOUNT LIMITS FOR EXTREMELY HIGH-COST AREAS.

Section 214 of the National Housing Act (12 U.S.C. 1715d) is amended—

(1) in the first sentence—

(A) by inserting ", or with respect to projects consisting of more than four dwelling units located in an extremely high-cost area as determined by the Secretary" after "or the Virgin Islands" the first place such term appears;

(B) by inserting ", or to construct projects consisting of more than four dwelling units on property located in an extremely high-cost area as determined by the Secretary" after "or the Virgin Islands" the second place such term appears; and

(C) by inserting ", or with respect to projects consisting of more than four dwelling units located in an extremely high-cost area as determined by the Secretary" after "or the Virgin Islands" the third place such term appears;

(2) in the second sentence—

(A) by inserting ", or with respect to a project consisting of more than four dwelling units located in an extremely high-cost area as determined by the Secretary," after "or the Virgin Islands" the first place such term appears; and

(B) by inserting ", or in the case of a project consisting of more than four dwelling units in an extremely high-cost area as determined by the Secretary, in such extremely high-cost area," after "or the Virgin Islands" the second place such term appears; and

(3) in the section heading, by striking "AND THE VIRGIN ISLANDS" and inserting "THE VIRGIN ISLANDS, AND EXTREMELY HIGH-COST AREAS".

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply to mortgages insured under title II of the National Housing Act after September 30, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. ADLER) and the gentleman from California (Mr. GARY G. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. ADLER of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation.

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

There was no objection.

Mr. ADLER of New Jersey. Mr. Speaker, I urge the House to pass H.R. 3527, the FHA Multifamily Loan Limit

Adjustment Act of 2009. By increasing the FHA loan limits to elevator properties in extremely high-cost areas, H.R. 3527 will allow the FHA to facilitate the construction and rehabilitation of apartments, particularly in urban areas, where financing is not readily available in the current economic environment.

I reserve the balance of my time.

SEPTEMBER 14, 2009.

Hon. NANCY PELOSI,
Hon. JOHN BOEHNER,
House of Representatives, Washington, DC.

DEAR MADAM SPEAKER AND MINORITY LEADER BOEHNER: The undersigned groups are writing to urge the House to pass H.R. 3527, the FHA Multifamily Loan Limit Adjustment Act of 2009. By increasing the FHA loan limits for elevator properties and in extremely high-cost areas, H.R. 3527 will allow FHA to facilitate the construction and rehabilitation of apartments, particularly in urban areas where financing is not readily available in the current economic environment.

The FHA multifamily loan limits are severely restricting the ability to use FHA insurance programs to finance rental housing in many urban areas. HUD data shows that, in fiscal years 2007 and 2008, only three non-subsidized high-rise construction/rehabilitation projects—nationwide—have been endorsed for insurance with FHA. We believe this is largely due to the maximum loan limits imposed by statute on the FHA insurance programs, which is being addressed in H.R. 3527.

A recent survey of major lenders shows that there are more than 11,000 units in elevator structures with a mortgage amount of more than $3 billion that are on hold and, when H.R. 3527 is passed, should be able to move forward using the FHA programs. These properties are in many urban areas across the country, from Seattle and Los Angeles, to Houston, Columbus and Chicago, to Boston and New York.

Decent affordable rental housing allows working families to live in stable environments and within their means and also allows seniors to live in communities with appropriate amenities to permit aging in place. Well-maintained and attractive rental housing in turn contributes to neighborhood stability.

We urge the House to pass H.R. 3527 to provide FHA with the tools it needs to facilitate the construction and rehabilitation of apartments.

Sincerely,

American Association of Homes and Services for the Aging; Enterprise Community Partners; Institute of Real Estate Management; Mortgage Bankers Association; National Apartment Association; National Affordable Housing Management Association; National Association of Home Builders; National Association of Local Housing Finance Agencies; National Association of Realtors; National Housing Conference; National Leased Housing Association; National Low Income Housing Coalition; Nation Multi-Housing Council; New York Housing Conference; Stewards of Affordable Housing for the Future.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise in support of the FHA Multifamily Loan Limit Adjustment Act. I see that Mr. WEINER is just walking in the door right now, so we're going to be able to have a very nice conversation. Welcome, Mr. WEINER. I'm very glad to have you. I'm honored to support your bill. This addresses the need for new construction or substantial rehabilitation to multifamily units in extremely high-cost areas of the country.

The FHA multifamily mortgage insurance program works with private sector partners to expand the supply of rental housing. FHA's multifamily mortgage insurance programs enable qualified buyers to obtain long-term, fixed-rate, nonrecourse financing for multifamily properties that are affordable to low- and moderate-income families. These families include police, firefighters, teachers, entry and mid-level service workers, among others.

In our most expensive cities it is very difficult for these workers, particularly those starting out in the workforce, to find affordable rental housing where they work. While the FHA multifamily mortgage insurance program could help, because of its loan limits there were only three FHA-insured multifamily loans for high-rise construction or rehabilitation approvals in the Nation in fiscal year 2007 and 2008.

According to the Mortgage Bankers Association, MBA, while the base loan limits and high-cost factors have been raised over the past 8 years to address issues in most parts of the country, there's still problems concentrated in major cities where high-rise construction is involved. In fact, the data shows that while elevator buildings cost 45 percent more than non-elevator structures, the current loan limits for these structures are less than 10 percent higher than non-elevator structures.

Developers are simply unable to provide affordable housing units in high-cost areas because the current statutory limits for FHA mortgage insurance are too low for these types of structures.

The slowdown in affordable rental housing production that is being enhanced by the credit crisis has resulted in a significant gap between the demand for and the supply of affordable rental housing.

There is no private sector alternative to this program. The market served by FHA multifamily insurance does not overlap with competing private sector insurance.

This bill would increase the multifamily loan limit for elevator buildings by up to 50 percent and give the Secretary of HUD the authority to increase the limit in extremely high-cost areas to 305 percent of the base rate; similar to insurance of mortgages on property in States like Alaska, Guam, Hawaii, and the Virgin Islands. And I think Mr. WEINER and I agree—if it's good enough for Alaska, Guam, Hawaii, and the Virgin Islands, it's good enough for the rest of the United States.

This program has a positive budgetary impact. Now this does not cost the Federal Government any money. Making money for the taxpayers is what we're looking at.

Looking at the President's fiscal year 2010 budget, the multifamily insurance programs that relate to these loans limits is projected to make a profit—I repeat, a profit—on new loans insured in the fiscal year budget of $93 million. In fact, over the years, FHA multifamily loans have consistently made a profit for the taxpayers.

Under the bill, 52 projects with over 11,000 units valued at $3 billion that are on hold will be able to move forward by using the FHA program. In Los Angeles alone, five multifamily projects for 1,700 units that are stalled due to the loan limits would be able to move forward. The National Home Builders Association has predicted that with the passage of this bill, 12,000 new construction jobs will be created.

Over the past 74 years, the FHA multifamily mortgage insurance program has operated successfully, working with private sector parties to expand the supply of housing. This public-private partnership has leveraged billions of dollars in private sector investment to provide rental housing for millions of families and the elderly throughout the country.

The bill is endorsed by the Mortgage Bankers Association, the National Association of Home Builders, the National Association of Realtors, the Institute of Real Estate Management, and 10 others.

I want to commend Chairman FRANK and Ranking Member BACHUS for sending this bill to the floor.

I reserve the balance of my time.

Mr. ADLER of New Jersey. Mr. Speaker, I yield such time as he may consume to the sponsor of the bill, the gentleman from New York (Mr. WEINER).

Mr. WEINER. I thank the gentleman from New Jersey and my good friend from California, who has done an excellent job in explaining the bill. Let me just make a couple of general points that my colleagues can understand.

You know, unlike a lot of the housing market, FHA loans have actually performed remarkably well. Some people may look to the floor today and say, Why would you want to do anything to expand lending when we have already seen some of the problems that we've had? Well, frankly, FHA only has a serious delinquency rate of about .3 percent, compared to nearly 8 percent in the rest of the marketplace.

But to understand how FHA has worked so well, what they essentially do is take people who are essentially developing rental housing. They say, You're having trouble getting credit elsewhere, like it was when they were created after the Great Depression. We'll go ahead and provide you credit to provide rental housing that you can rent to middle-class residents all around the country.

Unfortunately, what was never truly acknowledged by the program until now is that some parts of the country have rental housing that doesn't go side-to-side, but goes north and south, up and down. Congressman MILLER has instances like that. I know I do in New York City.

By definition, elevator buildings, combined with the fact that they are in big cities, make them more expensive. And so what we're saying here is, let's make sure the program keeps up with the real demand that we have for housing.

Now it is imperative that we do this because, despite the best efforts of this Congress and the President, the banks are simply not doing what we wanted them to do, which is extend more credit so people who have good enough credit can go ahead and find apartments that they can rent, homes that they can buy.

FHA is going to, under this piece of legislation—and I thank my colleague from New Jersey for quarterbacking it—is going to have the opportunity now to change their standards to reflect the way different things are regionally.

I should say to all of my colleagues, if you're doing things to perfect farm programs, just because they don't benefit me in New York City doesn't mean I don't support them. This is a way to make housing programs reflect what truly is going on in the marketplace.

Let me make one other point about this. It is true what my colleague says about Guam and Alaska and Hawaii. They're high-cost areas for different reasons. They're high-cost areas because getting building supplies to Guam, getting building supplies to Alaska and Hawaii, those are expensive.

One of the things that makes housing expensive in areas like New York City is that you have got to install elevators in any building that's north of six stories. And if you wind up getting into that place, you wind up adding a great deal to the amount per square foot that is required to do the building.

Nothing, I should say to my colleagues, does anything here to put taxpayers in any more jeopardy. The FHA program is entirely self-funded. It's the premiums that are collected from people who benefit from the program. All we're doing now is stopping what is a bottleneck in the program that has said we've got a lot of moribund programs—which is a word my assistant, Mr. Beckelman, who has developed this legislation, coined—these moribund programs that are ready to go but simply can't get the financing.

So this House will be doing what desperately needs to be done. I thank the chairman of the Financial Services Committee for quarterbacking it and for getting it—tailbacking it; you quarterbacked, he tailbacked it—and for Mr. MILLER of California, who has helped see the importance of this, and want to thank him for the great work he has done.

Mr. GARY G. MILLER of California. I thank Mr. WEINER for bringing this bill forward. It's very reminiscent of what happened to California with FHA and with conforming loan limits to high-cost areas. And I represent a high-cost area.

My FHA loans from 2000 to 2005 dropped by 99 percent. Today, we've raised conforming loan limits in high-cost areas for FHA for conforming, and over 90 percent of the loans made in my area today of California, and most of California, are conforming in FHA loans.

This, again, addresses a loophole that has existed for years. If it's good enough for Alaska, Guam, Hawaii, and the Virgin Islands, which I think it is, it's good enough for the other high-cost areas of this country.

I yield back the balance of my time.

Mr. ADLER of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. ADLER) that the House suspend the rules and pass the bill, H.R. 3527, as amended.

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

A motion to reconsider was laid on the table.

SECURITIES LAW TECHNICAL CORRECTIONS ACT OF 2009

Mr. MOORE of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2947) to amend the Federal securities laws to make technical corrections and to make conforming amendments related to the repeal of the Public Utility Holding Company Act of 1935.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2947

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 ''Securities Law Technical Corrections Act of 2009''.

SEC. 2. TECHNICAL CORRECTIONS.

(a) SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 3(a)(4) (15 U.S.C. 77c(a)(4)), by striking ''individual;'' and inserting ''individual,'';

(2) in section 18(b)(1)(C) (15 U.S.C. 77r(b)(1)(C)), by striking ''is a security'' and inserting ''a security'';

(3) in section 18(c)(2)(B)(i) (15 U.S.C. 77r(c)(2)(B)(i)), by striking ''State, or'' and inserting ''State or'';

(4) in section 19(d)(6)(A) (15 U.S.C. 77s(d)(6)(A)), by striking ''in paragraph (1) of (3)'' and inserting ''in paragraph (1) or (3)''; and

(5) in section 27A(c)(1)(B)(ii) (15 U.S.C. 77z–2(c)(1)(B)(ii)), by striking ''business entity;'' and inserting ''business entity,''.

(b) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) is amended—

(1) in section 2(1)(a) (15 U.S.C. 78b(1)(a)), by striking ''affected'' and inserting ''effected'';

(2) in section 3(a)(55)(A) (15 U.S.C. 78c(a)(55)(A)), by striking ''section 3(a)(12) of the Securities Exchange Act of 1934'' and inserting ''section 3(a)(12) of this Act'';

(3) in section 3(g) (15 U.S.C. 78c(g)), by striking ''company, account person, or entity'' and inserting ''company, account, person, or entity'';

(4) in section 10A(i)(1)(B)(i) (15 U.S.C. 78j–1(i)(1)(B)(i)), by striking ''nonaudit'' and inserting ''non-audit'';

(5) in section 13(b)(1) (15 U.S.C. 78m(b)(1)), by striking ''earning statement'' and inserting ''earnings statement'';

(6) in section 15(b)(1) (15 U.S.C. 78o(b)(1))—

(A) by striking the sentence beginning ''The order granting'' and ending ''from such membership.'' in subparagraph (B); and

(B) by inserting such sentence in the matter following such subparagraph after ''are satisfied.'';

(7) in section 15 (15 U.S.C. 78o), by redesignating subsection (i), as added by section 303(f) of the Commodity Futures Modernization Act of 2000 (114 Stat. 2763A–455), as subsection (j);

(8) in section 15C(a)(2) (15 U.S.C. 78o–5(a)(2))—

(A) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(B) by striking the sentence beginning ''The order granting'' and ending ''from such membership.'' in such subparagraph (B), as redesignated; and

(C) by inserting such sentence in the matter following such redesignated subparagraph after ''are satisfied.'';

(9) in section 16(a)(2)(C) (15 U.S.C. 78p(a)(2)(C)), by striking ''section 206(b)'' and inserting ''section 206B'';

(10) in section 17(b)(1)(B) (15 U.S.C. 78q(b)(1)(B)), by striking ''15A(k) gives'' and inserting ''15A(k), give''; and

(11) in section 21C(c)(2) (15 U.S.C. 78u–3(c)(2)), by striking ''paragraph (1) subsection'' and inserting ''Paragraph (1)''.

(c) TRUST INDENTURE ACT OF 1939.—The Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.) is amended—

(1) in section 304(b) (15 U.S.C. 77ddd(b)), by striking ''section 2 of such Act'' and inserting ''section 2(a) of such Act'';

(2) in section 313(a)(4) (15 U.S.C. 77mmm(a)(4)) by striking ''subsection 311'' and inserting ''section 311(b)''; and

(3) in section 317(a)(1) (15 U.S.C. 77qqq(a)(1)), by striking ''(1),'' and inserting ''(1)''.

(d) INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 2(a)(19) (15 U.S.C. 80a–2(a)(19)) by striking ''clause (vi)'' both places it appears in the last two sentences and inserting ''clause (vii)'';

(2) in section 9(b)(4)(B) (15 U.S.C. 80a–9(b)(4)(B)), by inserting ''or'' after the semicolon at the end;

(3) in section 12(d)(1)(J) (15 U.S.C. 80a–12(d)(1)(J)), by striking ''any provision of this subsection'' and inserting ''any provision of this paragraph'';

(4) in section 13(a)(3) (15 U.S.C. 80a–13(a)(3)), by inserting ''or'' after the semicolon at the end;

(5) in section 17(f)(4) (15 U.S.C. 80a–17(f)(4)), by striking ''No such member'' and inserting ''No member of a national securities exchange'';

(6) in section 17(f)(6) (15 U.S.C. 80a–17(f)(6)), by striking ''company may serve'' and inserting ''company, may serve''; and

(7) in section 61(a)(3)(B)(iii) (15 U.S.C. 80a–60(a)(3)(B)(iii))—

(A) by striking ''paragraph (1) of section 205'' and inserting ''section 205(a)(1)''; and

(B) by striking ''clause (A) or (B) of that section'' and inserting ''section 205(b)(1) or (2)''.

(e) INVESTMENT ADVISERS ACT OF 1940.—The Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) is amended—

(1) in each of the following sections, by striking ''principal business office'' or ''principal place of business'' (whichever and wherever it appears) and inserting ''principal office and place of business'': sections 203(c)(1)(A), 203(k)(4)(B), 213(a), 222(b), and 222(c) (15 U.S.C. 80b–3(c)(1)(A), 80b–3(k)(4)(B), 80b–13(a), 80b–18a(b), and 80b–18a(c)); and

(2) in section 206(3) (15 U.S.C. 80b–6(3)), by inserting ''or'' after the semicolon at the end.

SEC. 3. CONFORMING AMENDMENTS FOR THE REPEAL OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935.

(a) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) is amended—

(1) in section 3(a)(47) (15 U.S.C. 78c(a)(47)), by striking ''the Public Utility Holding Company Act of 1935 (15 U.S.C. 79a et seq.),''; and

(2) in section 12(k) (15 U.S.C. 78l(k)), by amending paragraph (7) to read as follows:

''(7) DEFINITION.—For purposes of this subsection, the term 'emergency' means—

''(A) a major market disturbance characterized by or constituting—

''(i) sudden and excessive fluctuations of securities prices generally, or a substantial threat thereof, that threaten fair and orderly markets; or

''(ii) a substantial disruption of the safe or efficient operation of the national system for clearance and settlement of transactions in securities, or a substantial threat thereof; or

''(B) a major disturbance that substantially disrupts, or threatens to substantially disrupt—

''(i) the functioning of securities markets, investment companies, or any other significant portion or segment of the securities markets; or

''(ii) the transmission or processing of securities transactions.''.

(3) in section 21(h)(2) (15 U.S.C. 78u(h)(2)), by striking ''section 18(c) of the Public Utility Holding Company Act of 1935,''.

(b) TRUST INDENTURE ACT OF 1939.—The Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.) is amended—

(1) in section 303 (15 U.S.C. 77ccc), by amending paragraph (17) to read as follows:

''(17) The terms 'Securities Act of 1933' and 'Securities Exchange Act of 1934' shall be deemed to refer, respectively, to such Acts, as amended, whether amended prior to or after the enactment of this title.'';

(2) in section 308 (15 U.S.C. 77hhh), by striking ''Securities Act of 1933, the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935'' each place it appears and inserting ''Securities Act of 1933 or the Securities Exchange Act of 1934'';

(3) in section 310 (15 U.S.C. 77jjj), by striking subsection (c) (including the preceding heading);

(4) in section 311 (15 U.S.C. 77kkk) by striking subsection (c);

(5) in section 323(b) (15 U.S.C. 77www(b)), by striking ''Securities Act of 1933, or the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935'' and inserting ''Securities Act of 1933 or the Securities Exchange Act of 1934''; and

(6) in section 326 (15 U.S.C. 77zzz), by striking ''Securities Act of 1933, or the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935,'' and inserting ''Securities Act of 1933 or the Securities Exchange Act of 1934''.

(c) INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 2(a)(44) (15 U.S.C. 80a–2(a)(44)), by striking ''Public Utility Holding Company Act of 1935,'';

(2) in section 3(c) (15 U.S.C. 80a–3(c)), by amending paragraph (8) to read as follows:

''(8) [Repealed]'';

(3) in section 38(b) (15 U.S.C. 80a–37(b)), by striking ''the Public Utility Holding Company Act of 1935,''; and

(4) in section 50 (15 U.S.C. 80a–49), by striking ''the Public Utility Holding Company Act of 1935,''.

(d) INVESTMENT ADVISERS ACT OF 1940.—Section 202(a)(21) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(21)) is amended by striking ''Public Utility Holding Company Act of 1935,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. MOORE) and the gentleman from California (Mr. GARY G. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. MOORE of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on this legislation.

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

There was no objection.

Mr. MOORE of Kansas. Mr. Speaker I yield myself such time as I may consume.

I rise today in support of H.R. 2947, the Securities Law Technical Corrections Act of 2009, drafted by my colleague from Kansas, Congresswoman LYNN JENKINS. I commend her work on this bill, Mr. Speaker.

During the 110th Congress, a nearly identical bill, H.R. 3505, sponsored by Congressman PETER ROSKAM of Illinois, passed the House by a vote of 396–0. The Senate never acted on the measure.

This bill would effectively exclude companies that were subject to regulation under the Public Utility Holding Company Act of 1935, which was repealed in 2005, from the definition of investment company and from the definition of securities laws.

Again, I commend Congresswoman JENKINS for sponsoring this legislation, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise in support of this bill. I commend Mr. MOORE for bringing it forward. This has passed Congress twice in the last Congress. It's been noncontroversial. It amends the Federal securities laws to make technical corrections and make conforming amendments related to the repeal of the Public Utility Holding Company Act of 1935.

It's a reasonable approach. I don't know of any controversy or any opposition to this.

I reserve the balance of my time.

□ 1515

Mr. MOORE of Kansas. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

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

Mrs. MALONEY. I thank the gentlemen for their leadership on this bill, and I rise in support of it.

Also, I just missed the FHA Multifamily Loan Limit Adjustment Act of 2009. This would create jobs, address the issue of affordable rental housing, and fix the lingering problems with better financing and liquidity. It would turn the hopes of homeownership into a reality and raise the limits on FHA loans that will help build more housing.

I rise today in support of a bill that will: Help create jobs in the hard-hit construction trades; address the longstanding issue of affordable rental housing in major urban and rural centers; and help fix lingering problems with better financing and liquidity.

H.R. 3527, the FHA Multifamily Loan Limit Adjustment Act of 2009 does all that and more, so I am proud to be a cosponsor along with my colleagues, Representatives WEINER, MILLER and FRANK.

The FHA's current limits on multifamily loans were certainly well intentioned, but they significantly restrict the ability of developers to use FHA insurance programs to finance badly needed affordable rental housing in high-cost areas such as New York City and State. In 2007 and 2008, HUD data shows that only 3 non-subsidized high rise construction or rehabilitation projects received FHA insurance approval in the whole country!

That's in part because the current FHA multifamily loan maximum of $68,070 per two-bedroom unit is simply not high enough in high-cost areas. This puts a damper on new construction and badly needed rehabilitation in urban and suburban areas—where construction costs are higher.

But by simply increasing the loan limit as this bill does to $93,029, FHA can facilitate construction and rehabilitation of apartments where financing is not available. I am told that there are currently 11,000 units in elevator structures across the country on hold with a combined mortgage amount of more than $3 billion. In New York City, there are a total of 14 projects worth $628 million stalled in NYC. This would build 2088 rental units in Brooklyn, Manhattan, and Queens.

When this bill becomes law these construction projects can move forward, create jobs and build new and more affordable homes.

In order to thrive our major cities depend on a supply of decent rental housing in buildings that are well maintained. Let's give the FHA the tools they need to move forward and enable these projects, these jobs, these American dreams.

I urge my colleagues to support this important legislation.

Mr. GARY G. MILLER of California. I want to thank Mrs. MALONEY for coming forward late, but she is my dear friend, and we have worked for years on issues together, and this is one of them. She has always been diligent about recognizing the errors that might exist in this country and how we could be more productive and be fair to everybody on these issues. I applaud you for your efforts and for being my colleague.

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

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

Mr. GARY G. MILLER of California. Mr. Speaker, I ask unanimous consent that the gentlewoman from Kansas (Ms. JENKINS) may be able to control my time and may be able to yield time, as required.

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

There was no objection.

Ms. JENKINS. Mr. Speaker, I claim time in opposition to the bill, although I am not opposed.

The SPEAKER pro tempore. The gentlewoman from Kansas is recognized.

Ms. JENKINS. Mr. Speaker, I yield myself such time as I may consume, and I rise today in support of H.R. 2947, the Securities Law Technical Corrections Act. This legislation, which passed the House under suspension last year, makes technical corrections to various securities laws, and I thank Mr. KANJORSKI for his support on the measure.

This body passed identical legislation last year 404–0. In the aftermath of the stock market crash of 1929, Congress enacted the Federal securities laws of the 1930s and the 1940s. Over the decades since that time, Congress has amended these laws to adapt to a rapidly changing securities industry.

Congressional intent for these laws is to protect investors and maintain orderly and efficient markets. As Members of Congress, we have a responsibility to review laws from time to time to ensure that they are up-to-date so as to reduce unnecessary confusion to market participants. H.R. 2947 makes necessary technical corrections to the Federal securities laws that the Securities and Exchange Commission supports, including punctuation errors, spelling inaccuracies, and references to statutes which Congress previously repealed.

Again, I thank my colleague, Mr. KANJORSKI, along with Ranking Member BACHUS and Chairman FRANK, for their support of this bill and I urge all of my colleagues to support it.

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

Mr. MOORE of Kansas. Mr. Speaker, I urge my colleagues to support H.R. 2947.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 2947.

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

A motion to reconsider was laid on the table.

CONGRATULATING THE MINORITY BUSINESS DEVELOPMENT AGENCY ON ITS 40TH ANNIVERSARY

Mr. CARSON of Indiana. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 215) congratulating the Minority Business Development Agency on its 40th anniversary and commending its achievements in fostering the establishment and growth of minority businesses in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 215

Whereas the success of minority businesses is a critical component of a robust economy in the United States;

Whereas minority businesses employ 4,700,000 people, benefit minority communities, and contribute to local, State, and national economies;

Whereas minority businesses are twice as likely to generate revenues through exports compared to nonminority businesses due to their language capabilities, cultural competencies, ancestral ties, and business agility;

Whereas in 1969, there were only 322,000 minority businesses with $11,000,000,000 in gross receipts and the number of minority businesses continues to grow, currently estimated at more than 4,000,000 with $661,000,000,000 in gross receipts;

Whereas minority groups represent 26.1 percent of the population, but own only 11.6 percent of the Nation's businesses and receive only 6.2 percent of total sales;

Whereas the Minority Business Development Agency was established by Executive Order 11458 on March 5, 1969;

Whereas the Minority Business Development Agency has operated for the last 40 years as the only Federal agency created specifically to serve minority entrepreneurs;

Whereas the Minority Business Development Agency operates a network of business development centers throughout the United States to assist with the start-up, expansion, and development of minority businesses;

Whereas the Minority Business Development Agency supports the Gulf Coast Recovery through its five centers located in Louisiana, Alabama, and Mississippi;

Whereas in fiscal year 2008, the Minority Business Development Agency assisted more than 25,000 minority businesses producing over $1,000,000,000 in contracts and over $1,100,000,000 in financial packages, which contributed in excess of 5,300 new jobs created for its clients;

Whereas since 1969, the Minority Business Development Agency has served more than 625,000 minority businesses and assisted in securing more than $25,000,000,000 in loans and bonding; and

Whereas the Minority Business Development Agency's long-term strategic direction is achieving entrepreneurial parity so that minority business enterprises are in proportion to the minority population: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Minority Business Development Agency on its 40th anniversary;

(2) commends the Minority Business Development Agency for its achievements in fostering the establishment and growth of minority businesses; and

(3) encourages the Minority Business Development Agency to continue its efforts to assist minority businesses as such enterprises continue to strengthen communities, create jobs, and contribute to the health of the economy in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. CARSON) and the gentleman from Minnesota (Mr. PAULSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. CARSON of Indiana. 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 Indiana?

There was no objection.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 215, which congratulates the Minority Business Development Agency for its 40 years of commendable service to America's minority-owned businesses.

The Minority Business Development Agency has had a large presence in Indiana and continues to promote growth and achievement in this economic crisis.

Since its establishment, the Agency's mission has been to foster the creation of minority-owned businesses in the U.S. In fact, this organization has operated as the only Federal agency created specifically to serve minority-owned businesses through its network of over 40 centers nationwide.

Since its inception in 1969, over 3.6 million minority-owned businesses have been opened, creating over 4.7 million jobs. This amazing growth has accounted for $661 billion in revenue. Over the last 40 years, these businesses have flourished as a result of consulting services provided by the Agency to over 625,000 firms.

During this economic crisis, the Minority Business Development Agency's services are more critical than ever. As minority-owned businesses continue to struggle, this organization provides a lifeline to an essential component of our Nation's economy.

In 2008, despite the ongoing recession, the Agency assisted more than 25,000 minority-owned businesses. As a result, thousands of Americans are now gainfully employed. Today, the Agency continues to work diligently to assist minority-owned businesses by identifying opportunities available through the Recovery Act.

Mr. Speaker, I congratulate the Minority Business Development Agency for its four decades of admirable successes in fostering our Nation's minority-owned businesses. I urge my colleagues to vote in support of House Resolution 215.

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

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

I rise today in support of House Resolution 215 to commemorate the 40th anniversary of the Minority Business Development Agency.

It was nearly half a century ago that President Nixon recognized the need to stand by minority businessmen and businesswomen advancing the ability of minority businesses to compete financially on a national level. With approximately 40 business centers around the country, the MBDA set up a national network providing minorities access and support to the resources necessary to compete in a global business environment.

Access to capital is the primary focus of the MBDA. Since its creation, this Agency has worked alongside more than 25,000 minority business owners to generate $1.85 billion in contracts and financial awards for minority businesses.

Mr. Speaker, MBDA also provides minority entrepreneurs with one-on-one assistance in writing their business plans, writing their marketing plans, management and technical assistance, and the financial planning that's necessary to assure adequate funding for business ventures.

Since its inception, the MBDA has expanded the scope of its initiatives internationally by participating in the very first U.S. trade mission to Bahrain as well as additional International Trade Administration missions to South America, Asia, Africa and the Caribbean.

As we observe this anniversary, we do need to applaud its continued commitment to the growth of minority businesses by providing access to capital.

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

Mr. CARSON of Indiana. Mr. Speaker, I yield to Mr. HONDA, the sponsor of this resolution, as much time as he may consume.

Mr. HONDA. I want to thank Mr. CARSON for this opportunity.

Mr. Speaker, I rise in support of H.R. 215, congratulating the Minority Business Development Agency on its 40th anniversary and its achievements in fostering minority businesses in the United States.

Since its inception in 1969 by President Richard Nixon's Executive Order 11458, the MBDA has operated as the only Federal agency created to serve minority-owned businesses through its nationwide network of more than 40 business development centers and hundreds of strategic partners.

Over that time, MBDA has served over 625,000 minority-owned businesses and assisted in securing more than $25 billion in loans and bonding, greatly contributing to the growth of our minority-owned businesses and the welfare of our communities in general.

I would like to share a couple of success stories of minority-owned businesses and companies from my 15th Congressional District of California in San Jose. First, Mr. and Mrs. Pradeep Aswani, immigrants from India, founded Securematics in Santa Clara, California. In 2002, this IT network solution distributor started with $4 million in revenue. In just 6 years, they grew their company sales to nearly $115 million by exploiting opportunities found while participating in MBDA's forums, facilitated by the Northern California Minority Business Development Center.

Another success story, Central Computers, was established in 1986 from very humble beginnings in Santa Clara, California, by Saul and Sherry Yeung, two Chinese Americans who immigrated from Hong Kong. Through their perseverance and resourcefulness, including taking advantage of the services provided by the Northern California Minority Business Enterprise Center, the Yeung family successfully transformed their home apartment operation into the largest independent computer retailer and servicer in the Bay Area, grossing nearly $30 million annually. Last September, MBDA recognized Central Computers as the National Minority Retail Firm of the Year for 2008.

The Northern California Minority Business Enterprise Center contributed to both of these successes. Funded by the MBDA and operated by Asian Inc., a nonprofit technical assistance and research organization that aims to strengthen minority communities, this center has assisted many of my district's minority-owned businesses. In fact, the Center participated in my Small Business Resource Fair held last May.

Now, these two stories are also prime examples of how successful minority-owned companies can give back to their local communities. Mr. Aswani finds time to mentor many local small business enterprises by providing free business strategy counseling. Saul and Sherry Yeung are significant contributors to local charities, community organizations, and educational institutions, including a $1 million donation to the University of California Berkeley's new Tien Center for East Asian Studies.

As Chair of the Congressional Asian Pacific American Caucus, I appreciate the support in introducing this resolution from my fellow Chairs of the congressional minority caucuses—Hispanic Caucus, Black Caucus, and Native American Caucus. We recognize the importance of minority-owned businesses not only as critical economic contributors to our communities but also their significant influence on the well-being of the U.S. economy.

Minority groups represent 26.1 percent of the population but only own 11.6 percent of the Nation's businesses and receive only 6.2 percent of total sales. This disparity between minority-owned businesses compared to those nonminority-owned represents a significant loss of economic opportunity for the Nation. If economic parity was achieved, minority-owned businesses would create 16 million jobs, generate $2.5 trillion in gross receipts and an unrealized tax base of more than $100 billion per year.

Despite the MBDA's admirable services to foster the growth of minority-owned businesses, many more resources are needed to achieve economic parity now and in the future. By 2050, the U.S. Census Bureau predicts that minorities will comprise more than half of the U.S. population. It is easy to foresee the increased reliance our Nation's economy will have on minority communities and businesses.

As difficult as this mission is, I believe the MBDA and its new national director, David Hinson, are up to the challenge. David Hinson brings to the Agency over 20 years of business expertise and academic excellence. Among Director Hinson's new priorities are the creation of a new generation of $100 million revenue-producing minority-owned businesses and fostering the growth of minority-owned businesses in clean energy, in green technology, health care, and information technology.

Mr. Speaker, I congratulate the Minority Business Development Agency for its 40 years of dedicated work, fostering the growth and development of our Nation's minority-owned businesses, and I look forward to continuing to work with the MBDA to ensure the success of its noble endeavors.

I would like to thank the Chairs of the congressional minority caucuses for introducing this resolution with me. I appreciate the support of the cosponsors, and I urge my colleagues to join us in supporting H.R. 215.

Before I yield back the balance of my time, Mr. Speaker, I would like to express again the local impact that this program has had in my community, not only because I know the two companies and the folks who had done it, but there are many, many more success stories that go untold. And there are yet more potential success stories out there with the continuation of this project.

□ 1530

Mr. PAULSEN. Mr. Speaker, we have no additional speakers. I would urge passage of the resolution, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. CARSON) that the House suspend the rules and agree to the resolution, H. Res. 215.

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

A motion to reconsider was laid on the table.

SIG TARP SMALL BUSINESS AWARENESS ACT OF 2009

Mr. MOORE of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3179), to amend the Emergency Economic Stabilization Act of 2008 to require the Special Inspector

General for the Troubled Asset Relief Program to include the effect of the Troubled Asset Relief Program on small businesses in the oversight, audits, and reports provided by the Special Inspector General, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3179

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 ''SIG TARP Small Business Awareness Act of 2009''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Small businesses are going to be the driving force behind revitalizing our economy.

(2) Small financial institutions are a primary financial resource for small businesses.

(3) In a hearing of the Committee on Financial Services of the House of Representatives, witnesses testified that smaller financial institutions are having difficulty receiving funds from the Troubled Asset Relief Program.

(4) In a hearing of the Committee on Financial Services of the House of Representatives, witnesses also testified that small businesses are having trouble receiving credit and financial products from banks and other financial institutions.

SEC. 3. DUTIES OF THE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM RELATING TO SMALL FINANCIAL INSTITUTIONS AND BUSINESSES.

(a) IN GENERAL.—Section 121(c) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231(c)) is amended by adding at the end the following new paragraph:

''(5) EFFECTS OF PROGRAM ON SMALL FINANCIAL INSTITUTIONS AND SMALL BUSINESSES.—

''(A) SMALL FINANCIAL INSTITUTIONS.—In conducting audits and providing oversight of the Troubled Asset Relief Program in accordance with this section, the Special Inspector General shall examine how smaller financial institutions are being affected by—

''(i) expenditures under the Program (including the adequacy of financial assistance provided to or on behalf of such smaller financial institutions); and

''(ii) the considerations and determinations of—

''(I) the Secretary under this title; and

''(II) the regulators of such smaller financial institutions, with respect to capital adequacy and troubled assets.

''(B) SMALL BUSINESSES.—In conducting audits and providing oversight of the Troubled Asset Relief Program, the Special Inspector General shall examine the effects the provision of financial assistance under this title has had on small businesses, including both positive and negative effects and the extent of such effects on small businesses generally and by type and region.

''(C) REPORTS.—Any report prepared by the Special Inspector General under this section shall include the results of the activities of the Special Inspector General under paragraphs (1) and (2).''.

(b) REPORT ON INCLUSION AND UTILIZATION OF WOMEN AND MINORITIES.—Section 121(i) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231(i)) is amended by adding at the end the following new paragraph:

''(6) REPORT ON INCLUSION AND UTILIZATION OF WOMEN AND MINORITIES.—

''(A) IN GENERAL.—The Special Inspector General shall include in each quarterly report to the Congress under paragraph (1) information on the activities of the Secretary and any financial institutions receiving financial assistance under this title to include and utilize minorities (as such term is defined in section 1204(c) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note)) and women, and minority- and women-owned businesses (as such terms are defined in section 21A(r)(4) of the Federal Home Loan Bank Act), in any solicitation or contract, including any contract to asset managers, servicers, property managers, and other service providers or expert consultants.

''(B) INFORMATION TO BE INCLUDED.—The quarterly report shall include information on the levels of inclusion and utilization of women, minorities, and women- and minority-owned businesses, including the type of such contracts or solicitations, the dollar amount of such contracts or solicitations, the total number of such contracts or solicitations, and any other information on the activities of the Secretary and any financial institutions receiving financial assistance under this title to increase the participation of women, minorities, and women- and minority-owned businesses including recommendations related to increasing such participation.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. MOORE) and the gentleman from Minnesota (Mr. PAULSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. MOORE of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which 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 Kansas?

There was no objection.

Mr. MOORE of Kansas. I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3179, the SIG TARP Small Business Awareness Act of 2009, drafted by my colleague from Minnesota, Congressman ERIK PAULSEN. I commend his work on this important legislation.

This bill was originally offered as an amendment by Congressman PAULSEN to S. 383, the Special Inspector General for the Troubled Asset Relief Program Act, that was approved by the House on April 25, 2009, by a vote of 423–0, and was later signed into law.

During the markup, I commended Congressman PAULSEN for offering his amendment, and I supported the substance of the amendment; but to get S. 383 quickly to the President's desk to equip the SIG TARP with the resources and with the authority he desperately needed, we did not add the amendment to the bill. I am glad Congressman PAULSEN has offered this proposal again as a standalone bill so that the SIG TARP can closely monitor how TARP has affected small businesses and can report back to Congress.

I urge my colleagues to support H.R. 3179.

I reserve the balance of my time.

Mr. PAULSEN. I yield myself as much time as I may consume.

Mr. Speaker, I first want to thank Mr. MOORE, the leader of the subcommittee, for his leadership on this issue as well and on the subcommittee in general.

The legislation before us requires that the Special Inspector General report to Congress on how smaller financial institutions are faring under the TARP program and whether they are gaining access to needed funding. It would also require the Special Inspector General to examine the impact of TARP funding on small businesses.

During the August recess, I met with community bankers throughout my district. They outlined their desire to increase their lending to local small businesses that have been frozen out by the credit crunch. Similarly, I met with dozens of small business owners who expressed concerns over access to credit and to capital, key components of their ability to create jobs.

This problem was echoed in a recent article in the Minneapolis Star Tribune. The article outlined the problems that smaller financial institutions are having in trying to obtain TARP funds. They were primarily local banks that wanted to obtain TARP funds, but they had not received them or had not been given permission to receive them.

Mr. Speaker, in hearings held by the Financial Services Committee, we heard concerns that the large institutions may not be increasing their lending and that it was going to be the smaller institutions that would ultimately help revitalize our economy. The problem is the small businesses are not receiving the funds they need to help maintain and to grow their businesses. The reason is simply that those funds are not available.

When I asked about the assistance the community bankers, in particular, are getting from TARP, the representatives from the community banks responded by saying, All community banks have lost the trust of the Federal Government's ability to negotiate with them.

Now, Mr. Speaker, that concerns me especially if we are looking to get out of the financial and economic mess that we are facing. Community banks make the bulk of their loans to small businesses, and it's the small businesses that have created two of every three net new jobs in the United States since the early 1970s. We need to expand lending so we can create jobs and can grow our economy. The government's ''too big to fail'' approach, which has been the guiding principle for a long time in Washington, also implies ''too small to save.''

This premise is shortsighted; it's inaccurate and it's unfair to smaller institutions and to small businesses. By requiring the Special Inspector General to also examine now and to report the impact on smaller financial institutions as well as on small businesses, this will result in recommendations to both the U.S. Treasury and to Congress on how to improve the TARP program

so we can focus on job growth. Above all else, job growth needs to be our number one priority for each of us in Congress.

I ask for support, and I urge passage of H.R. 3179.

I reserve the balance of my time.

Mr. MOORE of Kansas. Mr. Speaker, I wanted to also raise a point that Congressman WATT had raised in the committee markup in which Congressman PAULSEN's proposal was debated.

Congressman WATT offered an amendment that was accepted by voice vote to make sure that, in addition to small businesses, the SIG TARP should review how TARP has affected minority- and women-owned businesses. This is a good idea, and we should make sure TARP is being administered fairly and equally across the board.

I appreciate Congressman PAULSEN for working on a bipartisan basis to address this concern and for revising his bill to include it.

I reserve the balance of my time.

Mr. PAULSEN. Mr. Speaker, just to follow up again, I want to thank Mr. MOORE for his leadership on the subcommittee.

I want everyone to know that, with the country's current financial state, now more than ever we do need to help our Nation's job creators and small businesses.

With that, I would urge passage of H.R. 3179.

I yield back the balance of my time.

Mr. MOORE of Kansas. Mr. Speaker, I urge my colleagues to support H.R. 3179, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 3179, as amended.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore (Mr. TIERNEY). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 41 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1617

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TIERNEY) at 4 o'clock and 17 minutes p.m.).

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. HOYER. Mr. Speaker, I rise to a question of the privileges of the House.

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

The Clerk read as follows:

H. RES. 744

Whereas on September 9, 2009, during the joint session of Congress convened pursuant to House Concurrent Resolution 179, the President of the United States, speaking at the invitation of the House and Senate, had his remarks interrupted by the Representative from South Carolina, Mr. Wilson; and

Whereas the conduct of the Representative from South Carolina was a breach of decorum and degraded the proceedings of the joint session, to the discredit of the House: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the behavior of the Representative from South Carolina, Mr. Wilson, during the joint session of Congress held on September 9, 2009.

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

Pursuant to clause 2 of rule IX, the gentleman from Maryland (Mr. HOYER) and the gentleman from Ohio (Mr. BOEHNER) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker and ladies and gentlemen of the House, none of us, none of us is happy to be here considering this resolution. I know I am not.

At the same time, my colleagues, what is at issue here is of importance to this House and to our country, and that issue is whether we are able to proceed with a degree of civility and decorum that our rules and our democracy contemplate and require.

The House Code of Official Conduct requires that each Member, every one of us, each and every one of us ''conduct himself,'' and I'm quoting from the rule, ''at all times in a manner which shall reflect creditably on the House of Representatives.''

There seems to be little or no disagreement that Mr. WILSON did not so conduct himself on the evening of September 9. Senator JOHN MCCAIN was quoted as saying that Mr. WILSON's behavior was ''totally disrespectful.'' He went on to say, ''There is no place for it in that setting, or any other, and he should apologize for it immediately.''

Mr. WILSON did, in fact, apologize to the President through Mr. Emanuel, the President's Chief of Staff.

However, it was the House itself whose rules were offended. And as Mr. INGLIS, Mr. WILSON's colleague, a Republican colleague from South Carolina, observed, and again I quote, ''He should apologize to the House,'' to the House, ''for the rule violation.'' Mr. INGLIS went on to add, ''That would end the matter.''

I had made a similar representation to the Republican leader, and I believe that would have ended the matter. I know that is what the Republican leaders of the House thought would be appropriate and what the Republican leader talked to Mr. WILSON about doing. He said so to the press.

Indeed, last Thursday, based upon what a Republican leader told me, not Mr. BOEHNER, that morning, it was what I expected Mr. WILSON to do. As a result, I held open the time between the next-to-the-last vote and the very last vote to give Mr. WILSON an opportunity to express an apology to the House. As all of us know, many Members have done that in the past, reflecting upon conduct they thought was not appropriate; and as a result, they came to this floor. That has happened on both sides of the aisle where Members have done things that they thought brought discredit to the House and they came to this floor, to that rostrum and to this, to say, I apologize. Mr. INGLIS is correct: that would have ended the matter.

However, for whatever reason, Mr. WILSON has decided not to take any further action. In light of that, this resolution simply states the House's disapproval of Mr. WILSON's words and actions.

As Republican Whip CANTOR is quoted as saying, ''Obviously the President of the United States is always welcome on Capitol Hill and he deserves respect and decorum.'' Surely all of us believe that's correct. Surely all of us, hopefully all of us, believe that when we invite a President of either party to come to this House and address a joint session of Congress that he ought to expect and we ought to expect that we will accord to him the decorum and courtesy of which Mr. CANTOR spoke.

The Republican leader of the Senate, MITCH MCCONNELL, added, ''I think we ought to treat the President with respect, and anything other than that is not appropriate.'' That's what this resolution is about. It's a resolution of disapproval.

This resolution is not about the substance of an issue, but about the conduct we expect of one another in the course of doing our business. Senator JOHN CORNYN, the chairman of the Republican Senatorial Campaign Committee, stated this: ''There's a time and a place for everything, and that was not the time or the place for that kind of comment.''

In the absence of Mr. WILSON's expressing his regret for acting in a manner that almost all agree, every Republican that I have talked to as well as every Democrat that I have talked to, was inappropriate and contrary to the spirit of the rules of the House and the common courtesy that we should extend to all, and particularly to the President of the United States of America, our President, we have brought forward this resolution. I expected to extend that same courtesy with every President with whom I have served, be they Republican or Democrat.

We consider this resolution as a result of Mr. WILSON's failure to follow the advice of his leadership and a number of his Republican and Democratic colleagues who have told me that they have talked to him.

I want to say personally that I know Mr. WILSON. We've had a good relationship. I expect to continue to have a good relationship. I found him a man of measured conduct. I was surprised. I think he was probably surprised as well. A simple apology to this House would have ended the matter.

But this House ought not to stand silent in the face of conduct that almost universally, and by Mr. WILSON himself, was felt to be inappropriate. It is an expression of the people's House that neither Presidents nor any of us ought to expect to be subjected to such conduct in the course of our business in this, the people's House.

The resolution says simply what hopefully all of us feel, that we disapprove of the conduct cited and let others know that such conduct is neither welcome nor approved by the House of Representatives.

At this time, Mr. Speaker, I yield the balance of my time to the gentleman from South Carolina (Mr. CLYBURN), and I ask unanimous consent that he control the balance of that time.

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

There was no objection.

Mr. BOEHNER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Thank you, Mr. Leader. I appreciate your service for America, and I further respect the majority leader, Mr. HOYER.

Mr. Speaker, I am humbled and grateful for the support and prayers of my wife, Roxanne, my four sons, my staff, the people of South Carolina, my colleagues, and the American people.

Mr. Speaker, I think it is clear to the American people that there are far more important issues facing this Nation than what we are addressing right now.

The President said, ''The time for games is over.'' I agree with the President. He graciously accepted my apology, and the issue is over.

However, this action today will have done nothing for the taxpayers to rein in the growing cost and size of the Federal Government. It will not help more Americans secure jobs, promote better education, ensure retirement, or reform health insurance.

It is the Democrat leadership, in their rush to pass a very bad government health care plan, that is bad medicine for America. It has muzzled the voices we represent and provoked partisanship.

When we are done here today, we will not have taken any steps closer to helping more American families afford health insurance or helping small businesses create new jobs.

The challenges our Nation faces are far bigger than any one Member of this House. It is time that we move forward and get to work for the American people.

Mr. CLYBURN. Mr. Speaker, this resolution addresses an issue of great importance to current and future Members of this august body: the proper conduct of its Members.

Despite statements made by various leaders of the other party, this is not about partisan politics or inappropriate comments. To the contrary, this is about the rules of this House and reprehensible conduct.

□ 1630

I stand here as a former schoolteacher and the proud father of a current public schoolteacher who teaches in the congressional district represented by Congressman WILSON. My grandchildren attend schools in that district.

But, Mr. Speaker, this Hall is the most prominent classroom in this great country, and all of us are teachers. We are bound by duty and the offices we hold to conduct ourselves as such. Classroom teachers and schoolchildren across the country and around the world looking in on our proceedings should see proper decorum and hear civil discourse. Our teachers are expected to teach our children to learn proper behavior. All of us are expected to give appropriate support and deference to the institutions that help us develop and maintain a civil and orderly society.

Our three separate branches of government have defined roles to play in this process, and those of us who hold positions within these branches are expected and are duty bound to treat each other with proper dignity and respect. Whether we like it or not, teachers and students see us as role models.

But none of us is perfect. We all make mistakes, and we sometimes fall short of expectations. But when we do, proper contrition is expected. When one of us, while seated in a formal session, severely violates the rules of this body by shamelessly hurling accusations of mendacity towards a President of these United States, our Commander in Chief, and refuses to formally express remorse, we, at a minimum, are duty bound to express our disapproval. Our teachers, our students, and constituents deserve no less.

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

Mr. BOEHNER. Mr. Speaker, I recognize myself for as much time as I may consume.

I think this is a sad day for the House of Representatives. I think that this is nothing more than a partisan stunt aimed at trying to divert people's attention from the real issue that the American people want to talk about, and that is health care.

The gentleman from South Carolina made it clear the other night when he told the President's Chief of Staff that his behavior was inappropriate, and that is why he was calling to apologize to the President. The President graciously accepted his apology.

And last Friday, none other than the Speaker of the House, herself, said it is time for us to talk about health care and not Mr. WILSON. Now, the Speaker and I don't see eye to eye on every issue, but on this issue I think I am in full agreement with her.

JOE WILSON is a decent human being. He did the right thing. He called the President and apologized, and the President was gracious enough to accept it. And I just believe that a man who has spent 25 years of his life in public service in the State senate and here in Congress, who has four sons, all of whom were in the military, three of whom served in Iraq, we all know JOE WILSON. He is a decent man, and to put him through this on the floor of the House I think is unacceptable and it is a partisan stunt.

There has been behavior that has gone on around here far more serious than this, and it didn't bring a resolution to the floor to condemn someone's behavior.

Yes, people have made mistakes. Some have come down to the floor and apologized, others have not. But none of it, none of it required a resolution. And to think that the precedent that is being set here today, the precedent, think about it, never has this happened before, that we are going to bring a resolution of disapproving of his behavior. My goodness, we could be doing this every day of the week.

The American people sent us here to work together to solve the problems of our country. They didn't send us here to talk about our behavior. They didn't send us here to do that. What they want us to do is to deal with the issue of health care.

The President said we ought to work in a bipartisan fashion to get health care reform accomplished. I agree with the President. I'm here. I'm willing. I'm able. Set the time and the place, and we will be there with our solutions to the health care problems in the country.

But to divert the Nation's attention from the issues they care about, health care, trying to make sure that we get jobs back into our economy, trying to do something about record deficits and record debt, no, no, no, we are not doing any of that. We are here on some witch hunt, some partisan stunt that the American people are not going to respect.

With that, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House, and any manifestation of approval or disapproval of the proceedings or other audible conversation is in violation of the House.

Mr. CLYBURN. Mr. Speaker, I want to first of all say to my friend, the leader, that before coming to this Congress I spent 18 years running a State agency in South Carolina. In those 18 years, I worked for four Governors—two Democrats and two Republicans. Many of you remember that one of

those Republicans for whom I worked for 8 years was Carroll Campbell, a former Member of this body. We were good friends. We often consulted with each other in the evenings, but we always respected each other even though we were poles apart politically.

This is not a partisan stunt. I do not participate in partisan stunts, and I think every Member here knows that. This is about the proper decorum that should take place on the floor of the United States House of Representatives.

And I would like to say to the leader, and I think he knows, that he has not represented the facts correctly. On October 23, 2007, a Member of this body, Representative STARK, came to this floor and apologized for behavior, as I read, ''I want to apologize to first of all my colleagues, many of whom have been offended,'' and then he went on to say to the President, to his family, to the troops. That took place on this floor in 2007 on October 23.

Then I would remind the leader on July 23, which incidentally happens to be Carroll Campbell's birthday, on July 23, Chairman Thomas came to this floor and he offered an apology: ''Because of my poor judgment, the stewardship of my party as majority party in the House has been unfairly criticized,'' and he went on to apologize.

And so all we have ever asked is that this body, this House, receive from Mr. WILSON a similar statement of contrition. It is all about the decorum of this House.

And I will reiterate, I have never stood on the floor of this House in my 17 years and participated in any kind of partisan stunt, and I think the other side knows that.

I reserve the balance of my time.

Mr. BOEHNER. Mr. Speaker, I yield as much time as he may consume to the Republican whip, Mr. CANTOR.

Mr. CANTOR. Mr. Speaker, I thank the leader.

Mr. Speaker, I am having some difficulty understanding how it is that we are on the floor today debating this resolution. I would like to first speak to the claims made by my colleague on the other side of the aisle, the majority whip, in pointing out what are alleged to be precedents for this resolution.

As he knows, those instances that he referred to, whether it be the gentleman from California (Mr. STARK) or the gentleman from California (Mr. Thomas) when they came to the well of this body to speak to our colleagues, it was as a result of conduct displayed, number one, in the case of Mr. STARK, during debate on the floor of this House, and number two, on the part of Mr. Thomas, conduct that took place among members in a committee on which I sit, the Ways and Means, two very distinct situations from the one we have here at hand.

Again, I don't understand how it is a priority that we are here on this particular resolution. The resolution, as has been pointed out, creates no job. The resolution does nothing to do anything to increase access to quality health care. The resolution does nothing to address the issues of national security. Plain and simple, this resolution does not reflect the priority of the American people.

Now, President Obama came to this Chamber last week and he admonished us, Mr. Speaker. He admonished us to stop with the partisan bickering. In fact, he echoed the sentiments that he expressed during his inaugural address when he said, ''We may still be a young Nation, but it is time to set aside childish things.''

Now, as the leader said, as the gentleman from South Carolina himself said, he admits that what he did was inappropriate. He was on national television indicating he shouldn't have done it. He wouldn't do it again. He also said to the Nation, he called the President. As the leader indicated, the President graciously accepted the apology. I am told the Vice President has also accepted the apology. What more does the gentleman want? That's why I am at a loss as to what this is if it is not a partisan stunt.

So I believe we ought to accept what the President and the Speaker and others have said: Let's get on with the business of the people. Let's try and get over the divide and stick to the course of trying to work on things we agree on, or things that we have a potential to do away with the disagreements, not the partisanship.

Now, this is the bill. This is the famed H.R. 3200, Mr. Speaker, and there are several issues in here the American people have spoken out on. The first is the claim that we ought to be able to keep what we have if we are talking about health insurance. On page 16 of the bill, there is a section entitled, ''Protecting the Choice to Keep Current Coverage.'' That's what we all are trying to do for the 85 or some percent of this country who has health insurance.

You know what, our side says despite that title, there are provisions in there which begin to require individuals and their insurers to do certain things which make it somewhat difficult if not impossible to allow for folks to keep what they have.

The next issue that is of import certainly to the American people and to this body is the question of access to Federal benefits by those who are here illegally.

Now, the President stood on this floor in this body, Mr. Speaker, and said that he did not believe that there was any access for those here illegally to Federal benefits. In fact, on page 143, there is a section which speaks to the issue that there should be no Federal benefit for those here illegally.

The problem that we have on this side is there is no requirement of verification of legal status. And in fact the White House, in fact Senator BAUCUS and others have since come out and said, You know what, you're right. These are the kinds of things we could be doing right now to try and accomplish what it is that the American people have sent us here to do, and they expect us to do that in a deliberate manner that produces a positive result, which means we all have got to do that living within our means and to ensure that we do not break the bank in passing this health care reform measure.

□ 1645

So I implore this House, Mr. Speaker, let's try and get back to the business of the people.

Mr. CLYBURN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BOEHNER. I am pleased to yield 4 minutes to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. I thank the gentleman for yielding, and I rise in opposition to this resolution. I think the facts are clear. Congressman JOE WILSON admitted himself that his actions were wrong and that he shouldn't have done it and that he won't do it again. Mr. Wilson apologized to the President, and that was the right thing to do.

Mr. Speaker, how much longer does this go on? What are we really accomplishing here today? The President accepted Mr. WILSON's apology. Both the President and Mr. WILSON agreed it was time to move on. Just late last week, the Speaker of this House said, ''It's time for us to talk about health care and not Mr. WILSON.'' I couldn't agree more.

Americans expect their elected officials to put aside partisan differences and work to solve the problems that are facing American families. Just last week, we were told, Let's put aside the partisan bickering.

Instead of pursuing this petty partisanship, now is the time to work together on behalf of the American people. Hardworking families back home are worried about the economy. They're worried about losing their jobs. Hardworking American families all across this country want us to stop a government takeover of health care.

Let's stop wasting time. Let's focus on tackling the challenges that face our country.

Mr. CLYBURN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BOEHNER. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I know JOE WILSON. I've worked with him in the halls of this Congress in committees and I have traveled with him to Iraq. A retired Army colonel, all four of his sons followed JOE into military service.

In the 7 years that I have known him, I have never known JOE WILSON to say an unkind word about anyone. JOE is a good and honest man. He is the kind of person who, if he disagrees with you, does it without being disagreeable.

Just as it was wrong for my Democrat colleagues to boo former President Bush in this Chamber, it was wrong for JOE WILSON to speak out of turn. The difference is that JOE WILSON apologized and the President very graciously accepted his apology.

Every Member in this Chamber has uttered words they wish they could have said differently. I know JOE made his comment out of frustration because there seems to be a large gap between health care rhetoric and reality.

What the President said did not match up with the bill that came before the House. This is the same bill that was discussed last month in many town hall meetings across our country. His comment provided Americans with an opportunity to discuss the differences between the bill they've seen and the ideas that the President mentioned in Wednesday's speech.

On the issue of illegal immigrants in health care reform, in three committees here in this very House Republicans offered up amendments to clarify to ensure that illegal aliens would not be included in the health care reform bill. In all three committees, those amendments were resoundingly defeated by my Democrat colleagues.

All Americans heard the President say, If you like your plan, you can keep it. But those words directly conflict with the CBO's findings that cuts to Medicare Advantage plans in H.R. 3200 would result in millions of seniors losing their current plan. That's not keeping the plan that they like.

Further still, we heard the President say that his plan would not add one dime to our deficits. Again, that's contrary to CBO's findings that say that H.R. 3200 would increase deficits by $239 billion over 10 years.

Mr. Speaker, there's a lot of frustration in our districts and throughout America about H.R. 3200. We need to stop wasting time and get down to the business of drafting a bipartisan health care bill that addresses the needs of all Americans.

Think of how many Americans lost their jobs and lost their health care coverage during this 1 hour of debate that we're having today. We need to get down to the serious business that our constituents sent us here for. That's the very least that we can do. That's our job.

Mr. CLYBURN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BOEHNER. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, last week, the President came to this House for a joint session of Congress to discuss how we as a Nation will reform health care. The debate over health care has made clear that the American people are actually paying attention to what is happening here.

During the President's speech, our colleague, JOE WILSON, made a mistake—a mistake that I believe was driven by both the substance and the emotion involved in this debate.

Immediately after he made that mistake, Congressman WILSON did the appropriate thing. He immediately apologized to the President. President Obama very graciously accepted his apology.

Mr. Speaker, recently, President Obama made a mistake when referring to actions of the Cambridge police while acknowledging that he did not have all the facts. In the national uproar that ensued, he called it a teachable moment. I thought that was a very human response to an incident that was blown totally out of proportion, in my opinion, and some actually inferred that it had racial overtones.

I think what we have here today, Mr. Speaker, is a teachable moment, and it has nothing to do with race.

JOE WILSON is a patriotic American who has defended our freedom in uniform as well as here in the United States Congress. He is the father of four sons who also served this Nation in uniform to defend our liberty, our freedom, our democracy. And we have all heard JOE WILSON speak on this floor, and he ends every floor statement with the same following words: God bless our troops, and we will never forget September the 11th.

JOE WILSON simply made a mistake and was forgiven by the person who was harmed by that mistake. Case closed. So why are we here? What can we be taught by forcing a vote on this resolution?

Well, I believe what is going on here, Mr. Speaker, today, is a reflection of the unease among the American people as they have watched this Congress enact a $700 billion Wall Street bailout, a $787 billion economic stimulus bill, a $1.8 trillion deficit, this year alone, placed on the backs of their children and their grandchildren.

They have been watching as Congress works on health care legislation that would fundamentally alter one of the most personal factors in their lives, and that is how to care for themselves and their families.

During the August recess we saw the frustrations of the American people when they came out in large numbers to exercise their rights guaranteed under the First Amendment—the right to free speech, the right to peaceably assemble, and the right to redress their grievances before government. And how were they treated when they did this? Some leaders of this House called them un-American, or an angry mob. All of this for simply making their voices heard.

I understand that democracy is sometimes difficult and it can instill passion. That passion, that love for our Nation and the belief in the idea that every American deserves to be heard is what makes America great. And we who are honored to serve here have a duty to listen.

The acrimony that has developed here is what needs to be stopped. We need to stop and we need to listen to one another. We need to focus on the needs of the people and do the work that they sent us here to do. Most importantly, get our economy moving.

I come from Michigan, where countless of my fellow citizens have lost their jobs and many have also lost their health care. The resolution that we are considering today will not create one job. It will not help one person get health care for their family. It will do nothing to allay the concerns of seniors who are worried about their Medicare. It will do nothing to get our economy moving again. It will simply inflame a debate that should have been over when President Obama accepted JOE WILSON's apology.

We can do better. The American people can do better. And, hopefully, in this teachable moment, we will learn.

Mr. CLYBURN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BOEHNER. Mr. Speaker, I am pleased to yield 4 minutes to the Republican Conference chairman, the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I rise today in opposition to the resolution of disapproval of Mr. WILSON. A friend of mine back in Indiana likes to say that Washington, D.C., is 100 square miles surrounded by reality. That never felt truer than it does today.

Think about it. Our economy is struggling, families are hurting, and Congress is poised to demand an apology from a man who has already apologized. Extraordinary.

First, let me stipulate that JOE WILSON is a good man and a man of integrity. He is a devoted husband to his beloved Roxanne, a proud father of four American servicemen.

I have traveled with JOE into some pretty tight spots, like many of my Democrat colleagues have. I have seen his devotion to our soldiers. I have never failed to be inspired by his love for the men and women of this country in uniform, his love of his country, and his constituents.

The Old Book tells us a harsh word stirs up anger. We might have seen a little bit of that last week. In the midst of a highly partisan speech by the President of the United States, JOE made a mistake. Immediately after the speech was over, JOE recognized his mistake and he offered his sincere apology to the President and the President's staff. And he was right to apologize. But it's important to note that, despite his admitted error, the broader national interest was actually served.

The American people didn't send us here just to get along. They sent us here to get it right. Ironically, because of JOE WILSON's outburst, we have been engaged in nearly a week-long debate about what's really in H.R. 3200. In fact, now the American people know there's nothing in the Democrat's bill

in the House that requires an individual to verify their identity or citizenship, leaving open the very possibility of undocumented workers receiving health care benefits. This was concurred in by the Congressional Research Service that noted in the absence ''of a provision in the bill specifying the verification procedure, undocumented immigrants could receive taxpayer-subsidized health benefits.''

If you need any further proof, the White House clarified their position last Friday, stating their support for verification expressly of an individual's citizenship.

Despite the controversy and the sound and the fury, Congress has a shot to get it a little more right than they would have otherwise.

Let me speak, as I close, about the broader issue of bringing this resolution to the floor of the Congress today. I was home in Indiana yesterday. Hoosiers were shocked with the news that one of our most storied companies, Eli Lilly and Company, was announcing 5,500 layoffs.

I was in Evansville, Indiana, in August, on the very day that Whirlpool announced they were closing a factory and sending more than a thousand jobs out of that city and out of this country forever.

More than 2 million jobs have been lost since the so-called stimulus bill was passed. Fifteen million Americans were out of work. Yet here we are, taking time in the people's House to demand an apology from a man who has already apologized.

The American people want better. The American people want less politics and more jobs. They want Congress to set aside petty partisan politics and come together to take action to get this economy moving again.

I urge my colleagues to vote ''no.''

□ 1700

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

Mr. BOEHNER. I yield the gentleman 1 additional minute.

Mr. PENCE. Last Wednesday was not a good day in the House, but today is worse. Today we see politics overwhelming this institution. The American people are tired.

So let me say again, without the din of the gavel, I urge my colleagues to vote ''no'' on this resolution, put attention back on the work that the American people sent us here to perform, and that is to serve the interests of their families and the interests of this Nation with everything we've got. I'm with JOE; vote ''no.''

Mr. CLYBURN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BOEHNER. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, over the month of August, when Members were home in their districts, the American people were speaking loudly, and both Democrats and Republicans heard the message, I think, loud and clear. But as we stand here today, I would think the American people are probably looking at us wondering, do they really understand?

The American people are saying enough is enough; enough of the politics here in Washington, enough of the spending, enough of the big government takeover. And yet, here we are on the floor of the House today debating a resolution that should not be here, putting a man's name in the record books of disapproving of his behavior.

The gentleman from South Carolina admitted that he had made a mistake; he called the President and apologized. And yet, here we are on the floor of the House of Representatives debating a resolution describing his behavior. I think it's wrong. And I think we will rue the day that we set this precedent and brought this resolution to the floor.

I would just ask all my colleagues to remember what it is that we're doing here and the precedent that's being set. It's wrong. So I would ask all my colleagues to do the right thing, to stand up and to vote ''no'' on this resolution. Let's all respect our colleague who admitted his mistake and apologized. Let's all respect him. And the way that we do that is to vote ''no'' on this resolution.

Mr. CLYBURN. Mr. Speaker, I would like to close this discussion today using the balance of the time.

Mr. Speaker, the Republican leader earlier referenced the great preacher whose reference can be found in the third chapter of the Book of Ecclesiastes. He said there's a time and a place for everything. I agree with that. I believe very seriously that there is going to be a time for us to discuss health care, a time for us to discuss energy policies, education, and the economy. But Mr. Speaker, the rules of this House provide the vehicle by which we carry out those discussions. If the rules are not honored, if the rules of this House are not there to maintain order, we can never get to these discussions and do so in a way that would make the people of our great country proud.

The gentlelady from Michigan indicated that this is a teachable moment. Yes, it is. This is a time for us to teach—not just by precept, but by example—that which we say to our children, that which we say to our constituents, that there are certain things that you do and certain things that you don't do. And when you do those things that you don't do, the proper thing to do is to show proper contrition, not the way that you may think is proper, but the accepted form of contrition. And the accepted form of contrition when the rules of this body are violated is to come to this floor and to request the apology of these Members. And until that is done, Mr. Speaker, proper contrition has not been made.

My father used to teach me all the time, Son, he would say, The first sign of a good education is good manners. I took that to heart. And I would hope that this body today would demonstrate to all of those schoolchildren who are looking in on these proceedings that we are here to demonstrate what is proper decorum for you to follow in your classrooms. We must here today support our teachers and help them educate our children.

Silence gives consent. We cannot be silent in this matter, because we do not consent to the conduct of Mr. WILSON.

Mr. CUMMINGS. Mr. Speaker, I rise today in support of the Resolution.

Congressman WILSON'S outburst was a clear violation of the House rules.

How will we serve as a model of democracy—around the globe, and to our children here at home—if we cannot be the change we seek?

That said— we must focus on the most important issue at hand.

That issue is not the insulting, disrespectful and inappropriate remarks of a single Congressman.

It is the lack of hope for 18,000 people in this nation who die each year for one reason: They lack health insurance.

It is the future faced by my neighbor who chooses between paying for his chemotherapy or paying for his groceries.

The debate over Congressman WILSON'S disgraceful remarks does not help one child in Baltimore get treatment for diabetes.

It does not help one senior citizen in Columbia, Maryland, pay for the prescription drugs that Medicare Part D left behind.

This episode has not stopped working, insured Americans from lying awake at night, frightened beyond belief because in the blink of an eye, both their job and insurance could disappear.

Our children are too precious.

Our families are too important.

Our nation is at too critical a crossroads for us to fall prey and be distracted from our goal.

So, I rise in support of this Resolution, not because what Representative WILSON did was reprehensible—though it was—but because all 435 Members have to live by the rules of the House.

I ask that my colleagues join me in support of this resolution and uphold the dignity of this great institution by voting yes.

More importantly, I ask that as soon as we finish this matter, and we join together again, that we finally pass meaningful healthcare reform.

Because nothing could be worse than one more American suffering or dying because they cannot afford the care they need to live.

Mr. GOODLATTE. Mr. Speaker, Representative JOE WILSON's outburst at the joint session of Congress last week was inappropriate. However, Representative WILSON has already apologized for his actions. He was right to apologize, and President Obama graciously accepted his apology. Now it's time to move on to the substance of the health care reform bill.

Even President Obama has called for an end to the partisan bickering over the health care bill. However, with the introduction and consideration of this resolution, it is clear that the Democrat leadership has rejected this call.

A majority of Americans oppose the Government-run healthcare plan that the House Democrat leadership is pushing. However, instead

of debating the substance of the bill and addressing the concerns of the American people, it is clear that the majority would rather reopen old wounds with this resolution and divert attention back to an incident that is over.

What is it that the Democrats are trying to divert attention away from? Is it the fact that the non-partisan Congressional Budget Office has declared that their current health care reform proposal, H.R. 3200, ''Does not contain any restrictions on noncitizens—whether legally or illegally present, or in the United States temporarily or permanently—participating in the [taxpayer-subsidized health insurance] exchange?'' Is it the fact that Republican amendments to make clear that no benefits would be given to illegal aliens were defeated by the Democrats on party-line votes?

Regardless, Speaker PELOSI and the Democrat majority's insistence on demanding an apology from a man who has already apologized is a waste of time at best and a purposeful diversion at worst. The American people deserve better.

We do not have time for these partisan tactics when we should be addressing the grave concerns of the American people about the merits of the current health care reform proposal.

Ms. LEE of California. Mr. Speaker, I rise today in support of this Resolution of Disapproval. As members of the House of Representatives, it is our responsibiltiy to set an example of civility in our deliberations. We have a diversity of views and we do not always agree. But it is incumbent upon us to respect people and their office, even when we disagree with their views.

Representive WILSON's outburst demonstrated a lack of civility and decorum. It set a poor example for those who have entrusted us with this office. It is worth pointing out that this type of behavior has been increasing in recent months throughout the country. We've seen it on display all summer in town halls and in the disrespectful tone reflected by some radio and television commentators. As members of Congress, we must set an example. We must set the standard for respectful dialogue and disagreement.

Today's resolution is an opportunity for us to come together and reject incivility. Let's turn the page.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adopting House Resolution 744 will be followed by 5-minute votes on motions to suspend the rules with regard to House Resolution 317, if ordered, H.R. 22, and H.R. 3137.

The vote was taken by electronic device, and there were—yeas 240, nays 179, answered ''present'' 5, not voting 10, as follows:

[Roll No. 699]

YEAS—240

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

NAYS—179

Aderholt
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hinchey
Hodes
Hunter
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
Massa
McCarthy (CA)
McCaul
McClintock
McCotter
McDermott
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (WI)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—5

Engel
Foster
Frank (MA)
Shea-Porter
Skelton

NOT VOTING—10

Ackerman
Barrett (SC)
Conaway
Hoekstra
Lynch
McHugh
Sestak
Tanner
Velázquez
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1732

Mr. BRADY of Texas and Ms. MOORE of Wisconsin changed their vote from ''yea'' to ''nay.''

Mr. NEAL of Massachusetts and Ms. KOSMAS changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE KANSAS CITY ANIMAL HEALTH CORRIDOR

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 317.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and agree to the resolution, H. Res. 317.

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. CONNOLLY of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 312, nays 108, answered ''present'' 1, not voting 12, as follows:

[Roll No. 700]

YEAS—312

Abercrombie
Adler (NJ)
Akin
Alexander
Andrews
Arcuri
Austria
Bachmann
Baird
Baldwin
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Calvert
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Crenshaw
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Foster
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Griffith
Guthrie
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Hoyer
Hunter
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McDermott
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Neal (MA)
Nye
Oberstar
Olver
Pallone
Pascrell
Paulsen
Payne
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rangel
Rehberg
Reichert
Richardson
Roe (TN)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Serrano
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Speier
Spratt
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watson
Watt
Welch
Wexler
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—108

Aderholt
Altmire
Baca
Bachus
Barrow
Barton (TX)
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Brady (TX)
Broun (GA)
Burgess
Buyer
Camp
Carter
Chaffetz
Coble
Coffman (CO)
Courtney
Crowley
Cuellar
Culberson
Cummings
Deal (GA)
DeLauro
Dingell
Doggett
Doyle
Edwards (TX)
Ehlers
Flake
Fortenberry
Franks (AZ)
Fudge
Gingrey (GA)
Gohmert
Gonzalez
Granger
Green, Gene
Hall (TX)
Halvorson
Harper
Hensarling
Hinojosa
Honda
Issa
Johnson, E. B.
Johnson, Sam
King (IA)
King (NY)
Kingston
Lamborn
Latham
Lee (NY)
Lewis (GA)
Linder
Lummis
Lungren, Daniel E.
Marchant
Marshall
McCaul
McCotter
McGovern
McMahon
Miller (MI)
Murphy (CT)
Murphy, Patrick
Napolitano
Neugebauer
Nunes
Olson
Ortiz
Pastor (AZ)
Paul
Perriello
Petri
Poe (TX)
Price (GA)
Radanovich
Rahall
Reyes
Rodriguez
Rogers (AL)
Rogers (MI)
Rooney
Ryan (WI)
Schauer
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Sires
Smith (TX)
Space
Stearns
Stupak
Taylor
Teague
Thompson (MS)
Thornberry
Upton
Waxman
Weiner
Westmoreland
Whitfield
Young (FL)

ANSWERED ''PRESENT''—1

Obey

NOT VOTING—12

Ackerman
Barrett (SC)
Conaway
Grijalva
Hoekstra
Lynch
McHugh
Meeks (NY)
Sestak
Tanner
Velázquez
Waters

□ 1744

Messrs. DOGGETT, MCMAHON, HARPER, HENSARLING, KING of Iowa and LAMBORN changed their vote from ''yea'' to ''nay.''

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

Mr. PRICE of Georgia changed his vote from ''present'' to ''nay.''

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.

UNITED STATES POSTAL SERVICE FINANCIAL RELIEF ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 22, 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 York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 22, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 32, not voting 13, as follows:

[Roll No. 701]

YEAS—388

Abercrombie
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
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
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
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)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
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.
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
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
Sutton
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
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—32

Akin
Bartlett
Barton (TX)
Boehner
Brady (TX)
Broun (GA)
Culberson
Duncan
Flake
Franks (AZ)
Heller
Hensarling
Johnson, Sam
Kingston
Lamborn
Mack
Marchant
McClintock
Neugebauer
Paul
Pence
Poe (TX)
Price (GA)
Roskam
Royce
Ryan (WI)
Scalise
Shadegg
Sullivan
Wamp
Whitfield
Wilson (SC)

NOT VOTING—13

Ackerman
Barrett (SC)
Conaway
Grijalva
Hoekstra
Larson (CT)
Lynch
McHugh
Meeks (NY)
Minnick
Sestak
Tanner
Waters

□ 1751

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.

The title was amended so as to read: ''A bill to amend title 5, United States Code, to reduce the amount that the United States Postal Service is required to pay into the Postal Service Retiree Health Benefits Fund by the end of fiscal year 2009.''.

A motion to reconsider was laid on the table.

ALLOWING UNITED STATES POSTAL SERVICE TO ACCEPT DONATIONS FOR PLAQUES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3137, 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 York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 3137.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 19, as follows:

[Roll No. 702]

YEAS—414

Abercrombie
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
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
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
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
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
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
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.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
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
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
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
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
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—19

Ackerman
Barrett (SC)
Berman
Blumenauer
Boustany
Clarke
Conaway
Grijalva
Hoekstra
Klein (FL)
Lynch
McHugh
Meeks (NY)
Rooney
Sestak
Shuster
Tanner
Wamp
Waters

□ 1759

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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3246, ADVANCED VEHICLE TECHNOLOGY ACT OF 2009

Mr. POLIS, from the Committee on Rules, submitted a privileged report (Rept. No. 111–255) on the resolution (H.

Res. 745) providing for consideration of the bill (H.R. 3246) to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3221, STUDENT AID AND FISCAL RESPONSIBILITY ACT OF 2009

Mr. POLIS, from the Committee on Rules, submitted a privileged report (Rept. No. 111–256) on the resolution (H. Res. 746) providing for consideration of the bill (H.R. 3221) to amend the Higher Education Act of 1965, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1800

GENERAL LEAVE

Mr. JACKSON of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 744.

The SPEAKER pro tempore (Mr. MASSA). Is there objection to the request of the gentleman from Illinois?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 648

Mr. JACKSON of Illinois. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Resolution 648.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2480

Mr. LANCE. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2480.

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

There was no objection.

THE WAR IN AFGHANISTAN

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

Mr. QUIGLEY. Mr. Speaker, today the Chairman of the Joint Chiefs of Staff, Mike Mullen, told Congress that he needed more troops to succeed in Afghanistan. He's probably right, just like Army Chief of Staff Eric Shinseki was right when he said we needed more troops in Iraq.

But just as we failed to ask the tough strategic questions about Iraq, it is my sincere belief that we are now failing to ask the tough strategic questions about Afghanistan.

Colin Powell said, ''When we go to war, we should have a purpose our people understand and support.''

Do we have that today in Afghanistan? Every time we send a young American over for a tour of duty, we are deciding to go to war over and over again. The question is, Does the American public understand and support that decision? Do we as a body understand and support the long-term strategy behind the war in Afghanistan? Or has the people's House gone on autopilot, deciding to debate only numbers and not the bigger questions of why, how, and when this Nation should go to war?

HONORING THE 15TH ANNIVERSARY OF THE VIOLENCE AGAINST WOMEN ACT

(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, I am here to support House Resolution 738, honoring the 15th anniversary of the enactment of the Violence Against Women Act.

Violence against women is one of the world's most widespread human rights violations. It is a pandemic that can be stopped, but it requires dedicated political will and resources. As long as women across the globe continue to struggle to break through the shame and silence that surrounds the violence, we must continue to put it on every national and global agenda.

Violence against women fractures communities, devastates lives, and robs the gifts and potential of millions of women and girls. It is an issue that demands our utmost attention and our undivided priority.

Together we must continue our efforts to end this scourge on society and turn violence against women into an extinct crime rather than a global pandemic. Only then will women be able to live free of violence, which is a fundamental human right.

HISPANIC HERITAGE MONTH

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

Ms. CHU. Mr. Speaker and distinguished colleagues, the rich heritage of our Hispanic citizens has enriched the fabric of our culture since before there was a United States of America. From the old Spanish forts of Florida to today's vibrant communities of East Los Angeles in my own district, Latino culture has been, and continues to be, an important part of our national identity.

Our diversity is the key to our strength, and America would not be the great Nation it is without the passion, ingenuity, and perseverance of the millions of immigrants who have come to our shores looking for a better life.

The values of our Hispanic communities, those of hard work, strength of character, commitment to family and country, are also American values. And today the entrepreneurial spirit of our 47.5 million Hispanic Americans is an integral part of our economic recovery.

So I ask my fellow colleagues to join me today as we recognize the beginning of Hispanic Heritage Month and to stand proudly with me in acknowledging that the Hispanic Dream and the American Dream are one and the same.

HONORING MAYOR BILL WELCH

(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 honor a man who was an example of what was the best of what is journalism and politics. Mayor Bill Welch of State College, Pennsylvania, passed away September 4 at age 67. In 2002 Welch was named Penn State's Renaissance Man of the Year, and I believe that title may be one of the best descriptions of the man.

After his 1964 graduation from Penn State, he became a reporter for the Centre Daily Times. He went on to become news editor, managing editor, and editor. A reporter from the newspaper quoted Welch as saying: ''Commit to something greater than yourself. Do not shy away from differences. Seek them out.'' His work at the paper reflected that thought.

He went on to run for borough councilman and was elected mayor in 1994. He wore a signature panama hat and carried humor, intelligence, selflessness, and goodwill to everything he tried. Welch ran unopposed for the Democratic nomination for mayor in this year's primary and won the Republican nomination through write-ins. That probably sums up his command of politics.

At a time when parties are polarized, Welch was a man of the people. And he will be missed.

AUDITING THE FEDERAL RESERVE IS LONG OVERDUE

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

Mr. GRAYSON. Mr. Speaker, it was announced earlier today that there will be a hearing on H.R. 1207, the bill to audit the Federal Reserve Bank. This will be the first independent audit in the Federal Reserve's 96-year history, and it's long overdue.

Months ago I asked the Vice Chairman of the Federal Reserve, Who received the $1 trillion in funds that the Federal Reserve has handed out to domestic institutions?

He said, I'm not going to tell you.

Then more recently to the Chairman of the Federal Reserve, I asked him,

Who received the half trillion, and we're talking about $500 billion, that the Federal Reserve handed over to foreign central banks? Whom did they disseminate that money to?

And he said, I don't know.

Half a trillion dollars and he doesn't know.

It's long overdue. We need to audit the Federal Reserve, and I am happy to say that we're going to have a hearing on that very soon.

LET'S GET BACK TO THE BUSINESS OF CONGRESS

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

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, over the past several years we repeatedly hear politicians during debate using increasingly harsh words. Verbal attacks are rewarded with sound bites on the evening news and a bump in polling numbers, public profile, and fund-raising. Then like Pavlov's dog, we salivate at the next opportunity for a verbal attack. But to what end?

If there is anywhere that decorum in debate has a place, it is in the Chamber of the House of Representatives, with respectful discourse. When we focus only on the anger, we lose legitimacy as thoughtful legislators. We are tasked with maintaining a standard of cooperation and civility rather than insult and hostility. Both sides, both parties, all of us, must focus on changing for the better and set the example for our country, for the public, and for our people.

During this session of Congress alone, over a dozen resolutions have been brought up to attack, embarrass, and deride Members of Congress. In the meantime our Nation is faced with unemployment in record numbers, an ailing stock market, a health care crisis, growing debt, and two wars. That is the work of Congress. That is what the American people want us to address. Anything less is unacceptable. Period.

Let's all stop the name-calling and shouting. We've got work to do.

RECOGNIZING CHILDREN'S HOSPITAL OF MINNESOTA

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

Mr. PAULSEN. Mr. Speaker, as part of Children's Cancer Awareness Month, I rise to call attention to the innovative work of Children's Hospitals and Clinics of Minnesota.

Each year in the United States, there are approximately 12,400 children who will develop cancer before their 20th birthday. Children's Hospital is helping to combat cancer by embracing a simple motto: ''better journey, better outcomes.'' They believe that the more you can help a child by simply being a kid during treatment, the more likely the cancer will be defeated.

Children's Integrative Medicine Program treats children dealing with all types of illnesses and injuries, bringing together the best therapies to help kids and their families. Most importantly, Children's gets results. Their treatment results are consistently among the best in the Nation.

Finding out a child has cancer is a terrifying moment for any family. I am proud to recognize that an institution that is working so hard to bring new approaches and a unique philosophy to families facing this terrible disease is successful in helping children get back to living their lives cancer-free.

TIME TO GET DOWN TO THE BUSINESS OF CONGRESS

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

Mr. PERLMUTTER. Mr. Speaker, I just heard my friend from Pennsylvania (Mr. TIM MURPHY) talk about the business that really does involve the House, involve the Nation, and really the world, and it's time to get down to business, stop the name-calling, and proceed with the difficult chores we have at hand.

I couldn't agree with him more, and I thank him for his 1-minute.

SPECIAL ORDERS

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

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

COUNTRIES REFUSE TO TAKE BACK LAWFULLY DEPORTED FOREIGN NATIONALS

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, America needs to do a better job of protecting our borders. It is the job of the Federal Government to do so. And the Federal Government must do a better job of keeping criminals out in the first place.

The Federal Government needs to make sure we deport foreign nationals after they have served their time and after they've been convicted in American prisons.

But there is a problem and let me explain. Right now foreign nationals who commit serious crimes in our country and are convicted and go to our prisons, while they are in prison, they are lawfully deported by our immigration judges. That's a good thing. And after they have served their time, of course, it's time for them to go back to where they came from.

But right now there are several countries that won't take back lawfully convicted foreign nationals. Those countries are Vietnam, Jamaica, China, India, Ethiopia, Laos, and Iran. These countries won't take back their convicted criminals. These individuals are really people without a country. So what happens to them? Because they have served their time in our Federal and State prisons for felonies, they are actually released back into our communities. They are people without a country.

Right now there are over 160,000 of these criminal aliens roaming our Nation and our streets. These people have been lawfully deported after they've served their prison time, but their home nation refuses to take them back.

So I am introducing legislation that will plug up this loophole. My bill will make it a lot more likely they will go back where they came from. This bill says that any country who won't take back lawfully convicted foreign nationals who have been deported will lose foreign aid. But China, for example, doesn't receive foreign aid; so what will happen to China is they will not receive legal visas for their citizens to come into the United States.

□ 1815

No more student visas for China if they won't take back their convicted criminals that have been deported. None whatsoever.

The current law says the State Department may deny visas under these circumstances, but the State Department seems to refuse to send individuals back to their lawfully deported countries because, I guess, China, for example, is a trading partner and they don't want to hurt the feelings of China.

My bill won't allow the State Department to ignore that portion of the law. Therefore, it will be mandatory. If they refuse to take back convicted foreign nationals, that nation will lose the right to come here legally. We need to make sure that these individuals don't come here in the first place, especially the criminal element. All sorts of dangerous things are coming across our wide-open borders. The possibilities are endless for what could be just walking across our southern border.

We know about the human and sex trafficking, the drugs, the guns, the dirty money and the like. But what about chemical and biological or nuclear materials? Do we know? Well, we

really don't know. We live in a dangerous world, and the criminal cartels that run loose on the southern border to me are just as dangerous to this Nation as the Taliban, and they are just as ruthless. Right now, they are in our own backyard.

In Texas, we are doing what we can on our own. Last week, the Governor of the State sent the Texas Rangers down to the southern border. They are being deployed in high traffic, high crime areas. The Governor has asked the National Guard to support the Texas Rangers. The Highway Patrol, the Department of Public Safety, aviation resources, and the Texas sheriffs are all part of this team to prevent the criminal element from coming into the United States. But our local law enforcement is overwhelmed, so the Federal Government needs to get its priorities straight.

Recently, at one of my town halls in August, talking about health care, an individual showed up and people in that town hall recognized who he was. His name was Ignacio Ramos. He and his wife, Monica, came just to appear at that town hall. When individuals in that town hall saw who he was, they stood, Mr. Speaker, for over 5 minutes and applauded the work of Ignacio Ramos and his partner and the work that they had done on the southern border of Texas. He and his partner, Jose Compean, were U.S. Border Patrol officers jailed for shooting a Mexican drug dealer. Their sentences were commuted, and properly so, by the prior administration. But it shows, Mr. Speaker, that our Federal Government doesn't have its priorities in order. They have them backwards.

One of the few things that our Constitution actually requires the Federal Government to do is to protect the national security of this Nation. Border security is a national security issue, and foreign criminals that have committed crimes in this Nation and been lawfully deported should be sent back home. We should do the obvious things first when it comes to national security. If a foreign national commits a felony in the United States and is deported but the home nation refuses to take back its outlaw, that country should lose foreign aid and the legal right to have its citizens come into the United States under our visa program.

And that's just the way it is.

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.)

THOROUGH INVESTIGATION OF ACORN WARRANTED

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, I am only going to speak for about a minute because I am going to be a little bit redundant.

The last couple of nights we have been talking about the ACORN organization. The ACORN organization over the past couple of decades got, you know, 30, 40, 50 million dollars for their services, quote/unquote. Now in the last authorization and appropriation bills, they have gotten $8.5 billion, and this is an organization in just the last couple of weeks we found has been corrupt. They have been extolling the virtues of setting up a prostitution ring with young women coming into the country or being brought into the country illegally. And it is caught on television. It is caught on tapes.

It is really tragic that an organization like that should have any amount of legitimacy, let alone get taxpayers' dollars.

Tonight, I come here for a minute to say we need a thorough investigation of ACORN and why they have been authorized to get up to $8.5 billion in taxpayers' money for the services that they perform. There is something funny going on here, and a lot of my colleagues on the other side of the aisle have been reluctant to move towards an investigation. And the White House hasn't said much about this. I think probably because the President was the beneficiary of a lot of support from the ACORN organization when he was running for President.

Nevertheless, this should be investigated very thoroughly. We should not have a corrupt organization, known to be corrupt, proven to be corrupt. You see it every night on television. We should make sure that they don't get one dime of taxpayer dollars, and since they have been getting this money and we have authorized $8.5 billion more for them to be able to utilize, there needs to be an investigation.

Now, the leader, the Republican leader of the House, has authored a letter which has been signed by many Members of the minority. I would urge Members on the majority side of the aisle to join with us in signing that letter requesting an investigation. This is something that should be done. It should not be postponed. We should get to the bottom of why ACORN got this money and why they have been doing what they have been doing.

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

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PRAYER IN THE UNITED STATES OF AMERICA

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

Mr. FORBES. Mr. Speaker, on Thursday of this week in the United States District Court of Northern Virginia, in Florida, Pensacola Division, a principal who served his school district for 30 years and an athletic director who served them for 40 years in a little school district in Santa Rosa County will be carried to a hearing in Federal court.

So why did over 60 Members of Congress today sign the letter standing with that principal and that athletic director and against this Federal judge? Why is it different than so many other cases? Why is it special? Because, Mr. Speaker, it is one of the first times we have literally had the potential for the criminalization of prayer in the United States of America.

What was the big crime that this principal and athletic director did? What was the great offense? This school principal, with 30 years of service, asked the athletic director of the school, who had 40 years of service, to offer a blessing before a meal that was being held for private donors to the school's athletic program.

The Federal judge for this court has set a date for this Thursday, suggesting that they could be punished with a $5,000 fine, 6 months in prison, and the revocation of their retirement benefits. Why? Because one of them prayed. Why? Because one of them asked for the prayer. In fact, under the order issued by this judge in this court, this principal would not have been able to ask the President of the United States to speak at the school if the President concluded his speech, as he often does, with the phrase ''God bless America.''

If this action is allowed to stand, make no mistake, there will come a day when the Speaker of this House will be hauled into Federal court and threatened with jail because she dares to stand at that podium where you stand tonight and ask our chaplain to start our day with the prayer.

If this case stands, there will come a day when that chaplain is carried to court and threatened with jail because he offers that prayer he is asked to offer.

How far we've come from the day when 56 of the greatest Americans ever birthed pledged their lives, their fortunes, and their sacred honor to defend a set of rights that ultimately gave us the right to stand on this floor tonight, a set of rights that have guided this Nation through darkness and through the light. But most of all, a set of rights given to us by the very Creator, the mention of whom by this principal or this athletic director could now lead them to a jail term.

Mr. Speaker, tonight we need to ask how far we have come. And if we do, the answer is clear: Too far. It is time for Americans to simply say enough is enough.

PRAYER IMPORTANT PART OF OUR SOCIETY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

Mrs. BACHMANN. Mr. Speaker, prayer has been an important part of our country since the founding of our great Nation, and attempts to take prayer away from the American people are attempts to take away the essential freedoms that have been guaranteed to every American since the beginning of our United States Constitution.

I thank Mr. FORBES for bringing this to the attention of this body, and I share his shock, I share his dismay that criminal charges were brought on behalf of Mrs. Winkler, Mr. Lay and Mr. Freeman for the simple act of engaging in prayer.

As the court explained in Santa Fe, not all religious speech that occurs in public schools or at school-sponsored events is speech attributable to government. There were no students present at either event.

Additionally, the court held the proposition that schools do not endorse everything they fail to sensor is not complicated. The Supreme Court held that ''there is a crucial difference between government speech endorsing religion, which the establishment clause forbids, and private speech endorsing religion, which the free speech and free exercise clauses protect.''

In no way were these individuals trying to associate the school with prayer. They were offering the prayer, one at a privately funded event, the other at an event with private donors. The court held that ''private religious speech, far from being a First Amendment orphan, is as fully protected under the free speech clause as secular private expression.''

Teachers and administrators, when they act in their official capacity, may not encourage or discourage or participate in prayer with students. However, teachers may take part in religious activities before or after school or during lunch since the context makes clear they are not acting in an official capacity. Although schools may not direct or endorse religious activities, students do not shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.

Mr. Speaker, the problem is that this displays a trend and a tendency that we are seeing where groups like the ACLU strike at one school district after another, one public display of religious expression after another, until they have reached their ultimate goal, which is to purge the marketplace of ideas of any semblance of religious expression. At that point, Mr. Speaker, we will have turned the First Amendment on its head, and the Founders in turn will be rolling in their graves.

PACE HIGH SCHOOL PRAYER

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

Mr. MILLER of Florida. Mr. Speaker, there is trouble brewing in the small community of Pace, Florida, a community of less than 8,000 people just south of my hometown, and full of hard-working Americans where I believe a Federal judge has gone well outside the bounds of the Constitution to declare that prayer offered among adults is illegal. That's right. The judicial branch is once again trying to act like the legislative branch, and in doing so is hindering the First Amendment rights of Americans.

Mr. Speaker, I am not a lawyer and this is not a courtroom, but as a Member of Congress, I swore to support and defend the Constitution of the United States. And so help me God, that is what I intend to do.

The facts of the case in Does v. School Board of Santa Rosa County are clear. The Federal district court, without a hearing, issued an injunction preventing any school employee from promoting or facilitating prayer at any school-sponsored event. That action alone tramples upon the First Amendment rights of a specific group of people, denying them the equal protection that is provided under the very Constitution that we believe in.

The same Federal district court has now gone on to prohibit all employees from engaging in prayer or religious activities. The same court now thinks that Pace High School Principal Frank Lay and Athletic Director Robert Freeman violated this injunction at a private event with zero student participation. That the court would somehow consider this action to be criminal behavior is simply unconscionable.

However, Frank Lay and Robert Freeman now face criminal contempt charges for praying before a meal that was to be shared. All of this despite the fact that the Supreme Court itself has found that the free speech clause protects private religious speech. The Supreme Court has further gone to find that not all religious speech that occurs in public schools or at a school-sponsored event is attributable to the government.

As lawmakers, we cannot sit idly by and let this happen. As Members of Congress, we must act to uphold the Constitution. And as Americans, we must fight to ensure that our rights to freedom of religion and freedom of speech are not taken away.

America is a Nation of principles. We can sit here all night and argue about whether we are a Nation of Judeo-Christian principles or of secular principles. But the fact is that our Constitution protects all Americans and a court has no place deciding that some Americans do not warrant those protections. The Founding Fathers would be appalled, and I certainly am as well.

□ 1830

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

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

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

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

FREEDOM OF PRAYER

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to address an issue that Americans from the time of our Founders found fundamental in the forming of our country. That issue is the freedom of prayer as it relates to that right as defined under our Constitution in Amendment 1, ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.''

Tomorrow, in the State of Florida, two men, including the Pace High School principal and athletic director, face criminal contempt charges for prayer offered at a fieldhouse luncheon for private contributors in which no students were present.

The right to practice religion is among the most fundamental of the freedoms guaranteed by the Bill of Rights. While this right is guaranteed through our Constitution under the legislative authority and responsibility of the legislative branch, it was the judicial branch and judges, I would argue, without constitutional authority, legislating from the bench, that imposed an unconstitutional infringement on the rights of teachers, administrators, and students to free exercise of their religion.

This outrageous action was driven by a lawsuit filed by the ACLU against the Santa Rosa County School District, claiming that some teachers and administrators were endorsing religion in their schools. The school district entered into an agreement without any legal argument that prohibited prayer at all school-sponsored events and even prohibited all employees from engaging in prayer. Prohibited individuals from praying.

Principal Franklin Lay and Athletic Director Robert Freeman offered a prayer. The prayer was offered innocently, without intent to violate the order, and they didn't do it to take a stand against the order. They did not realize the order applied to them in such a way—a prayer before a meal at an event with private contributors in which no students were present.

The U.S. District Court initiated criminal contempt proceedings and the

two men face potentially fines, jail time, and loss of their retirement benefits for exercising a right guaranteed under the Constitution.

Mr. Speaker, this is wrong. I stand with Principal Lay and Athletic Director Freeman to their right granted under our Constitution in Amendment 1 to freely exercise their religion and specifically to pray.

Mr. Speaker, I pray that we return to a time when our constitutional right to pray is honored, recognized, and, at the very least, not criminalized.

DANGEROUS WORDS

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

Mr. GOHMERT. Mr. Speaker, this body today has voted by a majority to disapprove of JOE WILSON's comment. It is important to always take things in context. And, in reviewing the context, we have to notice that we had a President of the United States for whom we pray as Christians. We're supposed to do that—and we do. And we respect the office. And he was not happy with the way things were going with regard to his health care proposal.

The American people seemed to have made pretty clear through August this was not something they wanted. So the President basically demanded to come into this House. Well, he can't come unless he's invited—an invited guest. So an invitation was issued because he wanted to come speak. And he did.

Now there are rules about proper decorum in here, whether you're an invited guest or whether you are a Member of Congress. But, as Members, this is where our voters voted to send us. So we're supposed to be here.

The President came in. And the truth is, I really had mixed emotions because I knew that on Monday the President had taken a shot and actually used the L word. He had said that—actually, his words were, ''You've heard the lies. I've got a question for all those folks. What are you going to do? What's your answer? What's your solution? And, you know, what? They don't have one.''

Well, it was not appropriate to say that we were lying about the proposal when we have taken the only proposal that we have, H.R. 3200, and read from it, and then we're told we're lying about the content and we have no solutions.

Well, I would never say the President was lying when he said no solutions because that would infer that he knew that what he said was not true. Whoever put that line in his teleprompter should know that it's not true, but I won't attach that to the President.

But you look at the speech. We heard the speech. He said, ''Instead of honest debate, we've seen scare tactics.'' We're dishonest because we take the thousand-page bill and read from it, and that's dishonest? That's scare tactics?

We're told by the President in our House that we're trying to score short-term political points, even if it robs the country. Now we're robbing the country, trying to score short-term points.

He goes on. That's not enough to come into somebody else's house as an invited guest, and he talks about all the misinformation. So we're spreading misinformation, he says.

He goes on, the very next paragraph, he's talking about our bogus claims spread by those who want to kill. Now we're robbers and killers. And then he laps at the prominent politicians for being cynical and irresponsible. And, yes, immediately before JOE WILSON spoke, he used the L word, said, It's a lie, plain and simple.

Those are dangerous words to be saying things like that and to come in and be poisoning this well. He had poisoned the American people, talking about lies on Monday. He comes in here and talked about a lie here. He goes on to say we're making wild claims. These were his words. And then talks about our demagoguery and our distortion, talks about our tall tales.

Then, a surprise. He says, When facts and reason are thrown overboard, we can no longer even engage in a civil conversation. He talks about acrimony. And that's the context of JOE WILSON's comments.

That's no way to act, Mr. Speaker, when you're invited into somebody else's house and you come in and use all these words to slander them. That wasn't being very nice.

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

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

SANTA ROSA COUNTY SCHOOL DISTRICT SCHOOL PRAYER CASE

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

Ms. FOXX. I want to add to the comments of my colleagues to briefly discuss a court case that may have ramifications for the constitutional rights of religious expression of all Americans.

On August 27, 2008, the ACLU filed a complaint against the Santa Rosa County School Board in Florida, seeking to enjoin the parties from endorsing and engaging in religious activities, including prayer.

The school district consented to an agreement prohibiting prayer at school-sponsored events. The school district then entered into a broader agreement prohibiting all employees from engaging in prayer or religious activities.

Michelle Winkler, a clerical assistant in the Santa Rosa County School District, attended a privately funded event to honor non-instructional employees in the school district. She asked her husband, who's not an employee of the district, to read a prayer that she had written, and was charged with civil contempt of court.

Pace High School Principal Frank Lay and Athletic Director Robert Freeman were charged with criminal contempt for a prayer offered at a luncheon to honor private contributors to the school's athletic program. There were no students present at either of these two events.

In 2003, the Secretary of the Department of Education issued ''Guidance on Constitutionally Protected Prayer in Public and Elementary and Secondary Schools.'' These guidelines state that public school officials must be neutral in their treatment of religion, showing neither favoritism nor hostility.

The Supreme Court held that ''there is a crucial difference between government speech endorsing religion, which the establishment clause forbids, and private speech endorsing religion, which the free speech and free exercise clauses protect.''

The court also held that ''private religious speech, far from being a First Amendment orphan, is as fully protected under the free speech clause as secular private expression.''

In its Santa Fe ruling, the court explained that not all religious speech that occurs in public schools or at school-sponsored events is speech attributable to the government. Additionally, the court held that ''the proposition that schools do not endorse everything they fail to censor is not complicated.''

Although schools may not direct or endorse religious activities, students do not ''shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.''

Yes, teachers and administrators, while acting in their official capacity, may not encourage, discourage, or participate in prayer with students. However, teachers may take part in religious activities before or after school or during lunch, as the context makes clear they are not acting in an official capacity.

The circumstances involved in this case have unmasked the agenda of the ACLU. Students were not present in either event, yet contempt charges were brought against all parties. Mrs. Winkler was targeted for a prayer that her husband read, even though he was not an employee of the school district.

Mr. Lay and Mr. Freeman face penalties of 6 months in jail and loss of their retirement benefits for an innocent prayer said before a meal at which no students were present.

America was founded on the principle of religious liberty, and the constitutional protection of this right does not stop when they enter the doors of our public schools.

The ACLU is targeting small counties, towns, and school districts, not in an effort to protect against establishment clause violations, but to stifle religious expression.

As John F. Kennedy said during his inaugural address, ''The trumpet summons us again to bear the burden of a long twilight struggle.'' He spoke of foreign enemies who posed a threat to our Nation's freedoms, but this case shows that this threat has become a reality here at home.

THE MAJORITY MAKERS: WHAT WE DID ON OUR SUMMER VACATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 60 minutes as the designee of the majority leader.

Mr. YARMUTH. Mr. Speaker, it's a great honor to be here tonight to join with at least one of my colleagues from the class of 2006, the Majority Makers, to discuss the theme: What we did on our summer vacations.

As everyone knows, it has been a very fascinating few months, as we in Congress and people throughout the country have talked about how we can solve one of the great problems that this country has been trying to deal with for generations, and that is a health care system that serves every one of its citizens.

I, like all of my colleagues in the House, have spent the greater part of August talking with my constituents. We have had town hall meetings, we have had telephone town hall meetings, we've met with groups, we've met with providers, we've met with individual citizens to talk about the problems facing Americans—the challenge of finding quality, affordable health care for every citizen.

I think what was most revealing to me as I spent all of this time talking about health care with my constituents is how receptive they were and are to comprehensive health care reform once they understand, first of all, the need for reform; secondly, the direct benefit to them and their families of the reform that we're proposing in the House; and, third, the relevance of health care to our economic future.

□ 1845

President Obama, in this Chamber last Wednesday night, discussed those very themes, and he did it in a very compelling way. I think anyone who watched that speech would have to have left it feeling, one, we can wait no longer to make major reforms in our health care system, that the trajectory that we're on now is an unsustainable one, that we are facing extraordinarily high costs for insurance, we are facing extraordinarily high deficits in Medicare, and that we have to act now in order to mitigate the disaster that we face if we don't act.

Secondly, the absolute challenge—and I think the national shame—that we have that 18,000 Americans die every year because they don't have health insurance or access to care, the absolute shame in this country that almost 1 million people are forced to file bankruptcy every year because they either have no health insurance and are facing enormous medical bills or they have inadequate health insurance, that even though they had it, it was not sufficient to pay for the cost of their care.

I mean, this is not what should happen in the wealthiest country in the world, a country that has met every challenge it has faced in its 220-year history. I think the President clearly defined that challenge for us last Wednesday night.

And then there is the question of how this all relates to our economic challenges, the fact that employers who are now insuring, at least partially, 160 million of our citizens are going to be facing such high costs—they face them now, and even higher costs in the future—that their ability to compete in the global economy is severely impeded because of these high insurance costs. We have enormous challenges in this area. And again, once I met with citizens and was able to discuss with them their situations and their challenges and how what we're proposing to do in the House would address them, they change their opinions almost instantaneously.

And I just have to relate one story which was extremely meaningful to me. I was at what's called a ''district dialogue'' one of our metro council members in Louisville put on. And there were 35 or 40 citizens there to address issues with him. I was invited as a guest. And when I walked in the room, I would say that the body language that I saw was, to put it lightly, very cold. And they were very skeptical because they knew I was going to talk about health care.

Well, I spent 1 hour and 15 minutes there explaining the need for reform, the cost of doing nothing, the benefits to citizens with and without insurance, and answering all their questions about our legislation in the House and many of the myths that had developed around it. And I will never forget one couple sitting down to my left. At the beginning of the meeting, the husband asked me a very challenging question—wasn't quite hostile, but it was very challenging, and you could tell that he was extremely skeptical about what we were trying to do here. And I answered the question very respectfully and factually.

About 10 minutes later his wife said, Congressman, let me tell you about our situation. We're 55. Eight months ago, my husband lost his job and we lost our insurance. We finally got insurance; it cost us $750 a month. So they're paying $8,000 a year, after-tax income, unemployed, $8,000 a year. She said our deductibles, our copays are very high. And 2 weeks ago, my husband had to go to the emergency room, I had to take him. Our bill was several hundred dollars and our insurance policy wouldn't pay for it.

And I said, Ma'am, you are exactly why we're doing this reform measure. You are one of the case studies about what's important about what we're doing, because there are so many people in your category, middle-aged individuals who lost their jobs who really can't afford the insurance that's available to them, if it's available at all, in the individual private market. And while you're paying $8,000 now, under our proposal you would probably pay something like $2,000 a year. You could never be denied coverage because of a preexisting condition. If, heaven forbid, you got a serious illness, the insurance company couldn't take your benefits away.

And I went through the list of all these ways in which our plan would help this couple. And she looked at me and said, Wow, that sounds pretty good. And that's what I found throughout our community when I talked about health care.

And it was very gratifying as we went through all of these meetings and we encountered hostility, we encountered passion, we encountered a lot of people who are frustrated at a lot of the things that are going on in the world. But when it boiled right down to it, when you talked about what this plan that we're considering in the House would mean to them, their objections seemed to melt away. And I think they began to believe, for the first time probably, that we were truly working to help them and not to in any way harm them or take away what they have.

So I thought my summer vacation was terrific in that regard because I know I was reassured that we are on the right path, that the American people are receptive to the type of reform we're trying to provide. And I'm energized and look forward to the next few months when we actually refine our legislation and bring a package to the floor and hopefully deliver one to the President that will accomplish what we've been trying to accomplish—again, for generations—and that is to provide security and stability in the health insurance lives of every American.

With that, I take great pleasure in introducing my colleague from the class of 2006 from Colorado, the great State of Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I thank my friend, Mr. YARMUTH.

And I want to follow up on that. The last few months, in Colorado as well as every place else in the Nation and other places in the world, we've been talking about how do we finance health care? How do we finance it in Colorado, in Kentucky, wherever it might be? But that subject really leads to so many other conversations because the health care system touches every life in America, 300 million plus people.

And I can tell you from the Perlmutter family, from my family, the passion really has been evident because there are some things in the system that are broken and we have to fix them. There are some things in the

system that are working, but they can be better. And we need to do this in a way that's affordable to all Americans.

Let's start with what's broken, because that's something that affects my family and I know thousands and thousands and thousands of families across the country, and that is the discrimination that is suffered by people with prior illnesses. One of my kids has epilepsy. And if she doesn't have a job where there is group health insurance she is going to be denied coverage or be placed in a situation where the cost of her health care is going to be way beyond her means. Thank goodness she has a job where there is group health insurance, but if she were ever to leave that job or lose that job, she would be in trouble.

And she's like so many other people around the country who face this discrimination—and from my point of view, that discrimination is just wrong, and it's probably unconstitutional under the 14th Amendment to the Constitution, which guarantees all of us equal protection of the laws of this great country.

So there's a place where we really have a problem in the health care system where people who have prior illnesses, prior conditions, can't get coverage or they can only get coverage at prices that are out of sight.

Now, I don't fault the insurance companies on that; they're insurance companies, and they want to insure individuals and people who aren't sick. I don't blame them, that's how insurance works. If you insure somebody who is sick and you know it's going to cost you, then that doesn't help the shareholders and that doesn't help the company as a whole. But that is what's wrong with this, and that's why we've got to change it.

I compliment the President and the Members of this House who have had the guts to step up and deal with this issue because it is a major issue and a major change to policy that we have here in the United States, which is to cover people with prior illnesses. That's number one. And I can tell you, in my district in Colorado, almost everybody thinks that that needs to be changed. So we're dealing with something that is fundamentally wrong within the system, and it's something that almost every family can understand and relate to because they either have somebody within the family or they have a close neighbor or friend who has some kind of illness, number one.

Number two, we've got to fix something that every small business and individuals are seeing, and that is the increase in premiums year after year, and deductibles increasing so that the cost of your health insurance just keeps going up without any end in sight. And so we're trying, as part of this legislation, to put some restraints on this so that we slow these increases down so that businesses and individuals can afford insurance.

This is part of the menu, the choices that we want to bring as part of the legislation so that there is competition and choice and availability to small businesses and to individuals so that they can acquire insurance so that, God forbid, something bad happens medically or within the health of their family or their employees, that there's coverage.

So we're trying to deal with two very fundamental problems with our health care system today: One, denying people or discriminating against people with prior illnesses; and two, trying to put some lid or restraint on the ever-increasing premiums that we see to small businesses and to individuals so that they have a place they can turn to get insurance that isn't going to break them in half.

Now, we can improve things that are working. And one of those places where we really do have some great success stories and we can build on those is in the research that the country and our medical universities are conducting throughout the Nation. We are on the cusp of some tremendous breakthroughs when it comes to heart disease and cancer, two of the things that are so expensive to both individuals and businesses and the Nation. So if we can continue to really develop this research and continue to provide resources for research, there is hope and promise on some very difficult diseases that ultimately we can overcome.

And so it's with these kinds of things in mind—righting a wrong that comes about with discriminating against people with prior illnesses, helping small businesses and individuals find affordable insurance where there is competition and choice, and three, advancing the research that is ongoing in the Nation today where we really are going to have some tremendous breakthroughs that will be good for people's quality of life, but also for their personal pocketbooks and for the national pocketbook. There is real opportunity here.

We have to change this health care system. We can't continue to say, ''No, we can't.'' We have to say, ''Yes, we can.'' And that's what I want to see as we move forward with this health care debate.

With that, I would yield back to my friend from Kentucky.

Mr. YARMUTH. I thank the gentleman. And I want to pick up on his conversation about small businesses because this is one of the very interesting reactions I got when I was home during the month of August. And of course I have some experience in that regard as well. I ran a small business for a number of years. We struggled very, very hard to provide health coverage for all of our employees. We had somewhere between 20 and 23 employees the entire life of my involvement in that business, and they were generally young, very healthy men and women. Unfortunately, we had a middle-aged woman who had cancer, and because we had that one unfortunate situation among our employees, everyone suffered financially because of her misfortune.

□ 1900

Every year, we faced premium increases of 20, 25, 30 percent. We'd have to shop around as best we could. We'd have to increase co-pays and deductibles, things we had to do to be able to afford to provide coverage for everyone. Yet it wasn't just the business that was struggling; it was all of the individuals, again, all of whom had to pay dearly because of the misfortune of one person.

Under our health care reform, that would never happen. Everybody—every small business, every individual, regardless of their health histories or their health situations—would be guaranteed the lowest rates that anybody else could find. This is the way that America should function. The misfortune of one person should not adversely affect other people. In this particular case, the misfortune, through no fault of this woman's, should not put her in the situation of being discriminated against. So the gentleman is absolutely right.

We had a session back in Louisville during the break, and we invited about 20 to 25 small business people because we wanted to take the opportunity to talk with them and to get their questions because, again, a lot of the discussion surrounding this bill has been, oh, there's going to be a huge employer mandate and we're going to impose this huge tax on small businesses. A lot of people, when they hear those types of headlines, understandably get very concerned.

So we met. We spent 2 hours with this group of small business people, and what we found was exactly the situation that I described with my prior experience with small businesses. Every one of them was facing annual increases of double digits, sometimes approaching 30 percent.

Just today, for instance, I had a small business in the office. They're paying now $7,200 per person for every one of their employees. They have about 35 employees. The quote for their policy that's up for renewal is a 30 percent increase. So they're spending now about $2.5 million a year. The increase alone would add $750,000 to their expense to keep the same level of coverage for their employees. I don't know many businesses that can experience a 30 percent increase in any aspect of their cost structure and survive for very long, and that's what all of these small business people were facing.

One of the things that we talked about was—they said, Well, you have an incentive in this bill that we're covered, which most small businesses aren't because we exempt 95 percent of the small businesses from the employer mandates. But if I'm over there, why wouldn't I just drop my coverage and put my employees into the public market, the exchange, where they would

again have these choices, but they would give up their coverage with me?

I said, Well, you know what? You might very well have that financial incentive to do that. On strictly a dollars-and-cents basis, it might make sense for you to do it, but you know what? Your employees may be better off because, under our plan, they'll have far more choices than they will under your plan. They don't have a choice under your plan. It's whatever you can negotiate for your group, and they're stuck with that. It may not be the provider network they want. It may not have the terms that they want. They're stuck with it.

Under our plan, if you decided to drop your coverage, they could shop in the exchange. They could pick the provider network, the plan that fits them best; and because of the subsidies that we provide, they're probably going to be out of pocket less money overall than they are with you. So it's not necessarily a bad thing that you would drop your coverage.

They said, Oh, well, that's interesting.

I said, Furthermore, under our plan, if you get someone who has a high cost of insurance—somebody who has a cancer or a condition that puts someone at a disadvantage—he's not necessarily locked in. I mean, he's not job-locked at all. If you were to drop your coverage under today's terms, he'd probably have to go to work for a big company to make up for it.

Mr. PERLMUTTER. Will the gentleman yield?

Mr. YARMUTH. I'll yield.

Mr. PERLMUTTER. One of the stories that I came across when I was home a couple of weeks ago—and this occurred at my neighborhood filling station where I'm pumping gas because I've got to go to a couple of events on a Saturday morning. One neighbor came up, and he was on the other side of the pump right across from me.

He says, This health care thing, ED, you know, I really want you to go slow and make sure that this thing is financially sound.

As he was saying that, the neighbor who was pumping gas at the island just behind me came over and said, ED, you guys aren't doing enough, and you're not going fast enough.

So the two of them, as I started pumping gas, started having this conversation. It was a great conversation. Both of them have very, very legitimate points; and we need, as we go through this, to make sure this is financially sound and that we try to predict as much as we can on an ongoing basis. We do know that there are problems with the system. We do know that we pay, as a nation, a lot more than almost any other industrialized country around; and, competitively, that puts us at a disadvantage. So we know we have to do something.

The gentleman who said we're not going fast enough was, you know, a young father—I think probably 35 years old. He works for a roofing company. He'd like to start his own roofing company, but he can't because his wife has Crohn's disease; and because she has Crohn's disease, if he were to go out and set off on his own, be a real entrepreneur and really try to make a go of it, which is what we all want to do in this country—and it's the opportunity that this country provides so many people—he can't because of his wife's medical condition, and the probability is that he won't be able to get anything to cover her if he sets out on his own.

So these two gentlemen, both of whom are neighbors of mine, had this great conversation—both of them with legitimate points—but there is an urgency here, and there is a restriction on people really going out and doing things the American way by setting out on their own to see what they can do for themselves, for their families and, ultimately, for their communities and this Nation.

So I clearly had an event, or a conversation, where the system today prevents entrepreneurship of young men and women who really want to, you know, try some new opportunities for themselves and for their families.

So, with that, I would yield back to my friend.

Mr. YARMUTH. I had another case just like that.

I was at an actual event that was saluting many of the benefits of the summer jobs program that we provided as part of the Recovery Act. It was called YouthBuild where they build homes. They get teenagers who are at risk; they're from the at-risk population. They give them jobs; they give them training, and they have them spend a summer productively.

I walked out to this construction site, and here was a young man, probably about the same age as yours, probably mid-30s. He said, May I talk to you a minute about my situation?

I said, Absolutely.

He said, My wife and I pay for the two of us, plus our one child, a $900-a-month premium. So that's almost $11,000 a year.

I asked, And your employer pays part as well?

He said, Oh, yeah. The $900 a month is my part. My employer pays more.

So I don't know what the whole policy cost, but it was a lot of money.

He said, I've got a preexisting condition. I've got a very bad allergy situation. I've had it all my life, and I can't get insurance in the private sector. I would love to go out and start my own construction company, but I'm locked into this job because of health care, because I would be stuck without it if I had to leave it.

Interestingly enough, he was not supportive of what we're doing.

At the outset, he said, I really wish you wouldn't do this. You know, I don't like the Federal Government's getting involved in coverage—all of the standard arguments that we hear sometimes.

Again, he was someone whose problems with health care would have been solved, whose ambition to form his own company would have been restored, and yet he was still kind of blinded by a lot of rhetoric that's out there. I think I comforted him some in the conversation, but these stories are found throughout the country. We know that there are so many thousands and thousands of people who are in this situation, and this is the type of situation which has, I think, motivated all of us to work so hard to create reform that will be meaningful for the American people.

Just quickly back to the small business issue: so we spent 2 hours in this meeting with the 20 or 25-or-so small business people answering all their questions. At the end of the meeting, about half of them said, Go get it. Go get it. Go for it. We're with you. There were still two or three holdouts who just didn't think that the Federal Government should get involved in any way. When they're eligible for Medicare, we'll have to ask them if they still feel that way. These small business owners, for the most part, understood finally that this was something that would free them from a problem that they have been trying to work out.

So when you work it through, whether it's with senior citizens, with small businesses or with young families who have a situation where one of them might have a preexisting condition, this is exactly what we are trying to do—to create the opportunity for every American, regardless of their conditions or their situations, to have access to affordable health care.

You did make reference to kind of the global situation. My colleague, Mr. PERLMUTTER, talked about the fact that we are the only industrialized Nation in the world that does not provide a certain level of benefits, that is, guaranteed health care benefits for its population, and that we spend twice as much per person as any other country and a much larger percentage of our gross domestic product than any other country does. Right now, we spend about 17 or 18 percent of our GDP on health care. I think the next highest level in the world is about 11 percent.

While we do have some of the best health care anywhere available, it's just not available to enough people; and because of that and because of the fact that many people have virtually no health care and have no insurance and get very little care, we have poorer outcomes in this country even though we spend so much more. The World Health Organization ranks us 37th in the world. In their entire picture of health care outcomes, which includes infant mortality, life expectancy and survivability with certain diseases, we're 37th in the world overall.

That's something that should be a challenge and a motivation for all of us to do better because, again, America has always been the problem-solving

Nation. Whenever we put our minds to it and our collective will, we have been able to solve any problem that has confronted us.

People say, Well, we don't want to be Canada. We don't want to be Great Britain. We don't want to be Japan, or whatever it is.

I say that we don't have to be any of those countries. We're not those countries. We can do better than those countries; and we can create a health care system that is uniquely American, one that, again, provides security and stability to every American citizen, because that's what we're all about.

Before I yield back to my friend, it's interesting—as we talk about the world situation—and we have to confront issues like the myth that illegal immigrants are going to be covered under our bill. Now, we know there are people who are out there who will say anything to undermine this effort; but to me, the discussion about the illegal immigrants is intriguing because on the one hand it's very clear in section 246 that no undocumented aliens will receive Federal payments under this plan; but the opponents say, Well, but they'll still have access to care in the emergency rooms.

Yes, because President Reagan pushed for a law that requires hospitals and emergency rooms to treat anybody who goes there without regard to insurance or citizenship.

What's intriguing to me is that people don't necessarily take the next step, which is to ask, for instance: Do you really want people, doctors and nurses in the emergency rooms, to be worried first about checking somebody's citizenship when somebody is lying on a gurney or when your child or a child, any child or any adult, is mortally injured or has a very serious disease or is having a coronary? Do you want the doctor or nurse to say, Oh, wait a minute. I've got to go check your citizenship before I can treat you?

People don't think about the fact that it's not just that they would check Hispanic citizens or Hispanic people who would go to the emergency rooms or Asian people or whoever it is. They would have to check everybody. They would have to check everybody who would come in, and they would have to check senior citizens who would come in with grave illnesses. So we don't necessarily think through that.

The opponents would also say, Well, they can still buy insurance if they pay for it.

The answer of course is yes. Why is that a problem? Wouldn't you want people to have insurance rather than to go to the emergency rooms where all of us would subsidize their care? If they're illegal immigrants and can afford insurance, wouldn't you rather they have it so their kids, if they're in school next year, are not spreading a contagious disease? Wouldn't you rather they get the health care they need?

□ 1915

I mean, some of the arguments really just don't hold water once you think through them and understand that health care is a very specific category in society and humanity. And I am always amused when we say, well, illegal immigrants can still get care. Yes, I think we want them to still get care, but there is nothing in the legislation that we are proposing or that's being proposed on the Senate side, nothing in that law which would add a benefit, a Federal benefit, to illegal immigrants, and that is clearly spelled out.

So it takes a lot to work through these arguments, as my good friend knows, but it's worth working through them, because once you do, again, people feel much more comfortable and supportive with what we are doing.

Mr. PERLMUTTER. My friend, Mr. YARMUTH, mentioned Medicare, and one thing where there has been another myth is that there were going to be cuts in Medicare or things like that. In fact, it's just the opposite.

There are additional benefits, and one of the benefits that is very important, I know, to my district, and certainly when I was out talking to people, was getting rid of the doughnut hole in prescription drug costs. So that if you get to a certain level, all of a sudden, instead of the Medicare benefit paying for it, now you have got to pay for it out of your pocket.

And many people run into this, and it is financially just difficult and, in some cases, devastating to them because of this doughnut hole. And this bill, part of it is to eliminate this doughnut hole so that the benefits cover prescription medicines.

I think the bottom line for me here is that the status quo is not an option, that there has to be real change to the way this system operates, for individuals who are discriminated against because of their physical health and conditions to small businesses who see the costs going through the roof, and to the Nation that sees its costs going through the roof.

We can't stand idly by. We can't allow failure to reign. We must act. And it's a difficult subject. It's a very complicated system, and it touches 300 million people across this country, so everybody has a perspective on it.

But looking at it in the whole and trying to deal with it as a whole, we must make changes. And that's what I hope will occur over the next few months here in this House of Representatives and in the Senate and ultimately signed by the President so that we can get on with this and start making the changes that are so desperately needed before the system continues to get worse, premiums continue to go higher, people who shouldn't be discriminated against are.

We need change, and I am ready for it now.

Mr. YARMUTH. It's important to reemphasize the point that Mr. PERLMUTTER just made was that this is an incredibly complicated endeavor. And that's one of the problems we have in terms of a communications effort, that there are so many things that need to be explained. And as I have described it before, this is the biggest Rubik's Cube that anyone has ever tried to solve because there are so many moving parts.

And one of the things that I have heard from a number of people in my district is they say, well, why don't you do it piece by piece? Why don't you do it incrementally? And the answer is, of course, that because of the system we have in this country, you can't really approach this problem piecemeal, because you could say, for instance, we are going to address the problems in Medicare. You could do that, or you could say we are going to address the private insurance system. The problem is that they use the same provider networks. The same doctors service the private system and the public system, Medicare, Medicaid. The same hospitals service them, the same home health care companies, the same skilled nursing facilities service both.

So there is so much cost shifting going on, so that because Medicare pays less to providers, they charge private insurance companies more, which drives rates up. And they are always trying to balance their overall business to provider networks with the compensation they get, a reimbursement from both sides. So unless you deal with it holistically, you are going to basically push the finger in one side of the balloon and push it out the other end. We know that game.

And so incrementalism, while it might be desirable, it might be easier to achieve a comfort level in the country because people might be able to digest what we are proposing to do a little bit better, the fact is that reform that doesn't touch all of these areas is not going to be effective, and we will just distort the system even more and probably have more and more people fall through the cracks.

So nobody said this was going to be easy. I think it was Teddy Roosevelt 100 years ago who talked about providing universal health care, and we are still struggling with a way to bring health care to all our citizens. But we can do it. It's important work. I don't think there is anything we will ever do in this body at least domestically that will be as important as this effort.

And as I look around the world and see what other countries have done, see both the positive aspects of many other systems, some of the negatives, again, I don't think there is anywhere else in the world where I would say we can take that system and plop it down in the United States and it would be the perfect system for us.

There are elements of everybody's system around the world that could be useful in, again, creating that uniquely American solution.

There is a new book out called ''The Healing of America'' by a Washington

Post journalist named T.R. Reid, and he traveled around the world examining the health care systems, and he said there are three universal laws about health care reform or health care around the world. One is that no matter how good the system is for so many people, for as many people as possible, some people always complain about it. Secondly, doctors and hospitals will always complain that they are not being paid enough. And the final point was, the last reform always failed.

So we are in an imperfect arena, and we know that whatever we do here in this Congress, hopefully this year, will be far from perfect. We know that we will be working on this for as long as we are all alive, because there will be thousands of unintended consequences and unpredictable consequences of what we do.

But as my friend said, we have to start somewhere, and this is the time because we are looking at a very, very bleak picture moving forward, with tens of trillions of dollars of added debt in Medicare, with insurance premiums that are projected to increase by $1,800 a year for the next 10 years for a family policy, which would take it in the range of $30,000 by the end of the next decade.

And we know that the American economy, certainly not American businesses, and definitely not American families can afford that type of cost. So this is the biggest challenge, but also the biggest opportunity we have ever faced in this country.

And I am so glad, not just to be in Congress being able to work on this incredible endeavor, but also that the American people are so engaged in the process, because when the American people pay attention, the American people will respond, and they are responding with their input, with their reactions, and I think, ultimately, they will respond with their wholehearted support with the reform effort that we are engaged in.

So I would just offer the floor to my colleague, if he has any closing remarks, and then we will surrender our time.

Mr. PERLMUTTER. I thank my friend, I thank him for hosting this hour. I think for me the status quo is not an option. We have to act because there are things in this system, the health care system and the way we finance it. We need insurance reform, because there are things that are broken. We need to fix what's broken. We need to improve what's working, and we need to have a system that is affordable and accessible to all Americans. And now is the time to act. We can't fade into the woodwork and hope this all makes itself better. Sometimes you have to tackle tough subjects, and people aren't going to be always right in line with you.

Now is the time for us to tackle a very tough subject, to bring the change that's needed for generations to come, to save money and provide care for individuals, for businesses and this Nation.

Mr. YARMUTH. I thank the gentleman and thank him for his participation tonight. As I said a moment ago, we are involved in an incredible historic endeavor here, and I am very appreciative of the fact that we in the class of 2006, the Majority Makers, most of whom campaigned on a platform that included affordable quality health care for all, are able to participate here with the cooperation of the American people.

CORRECTION TO THE CONGRESSIONAL RECORD OF MONDAY, SEPTEMBER 14, 2009, AT PAGE H9457

RECOGNIZING THE PERSISTENTLY HIGH RATES OF DROWNING FATALITIES AMONG CHILDREN

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 57) expressing the importance of swimming lessons and recognizing the danger of drowning in the United States, especially among minority children, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 57

Whereas the success of the United States Olympic swim team, including the record-breaking eight gold medals won by Michael Phelps, has brought great attention to swimming;

Whereas a New York Times article entitled ''Despite Olympic Gold, Swimming Statistics Are Grim'', highlighted the irony of the United States Olympic glory in light of a shocking number of drownings in the United States;

Whereas the New York Times has also highlighted the discrepancies in swimming education between African-American children and White children in the article ''Everyone Into the Water'';

Whereas according to the Centers for Disease Control and Prevention (CDC), there were 3,582 unintentional and fatal drownings in the United States in 2005 representing an average of 10 drowning deaths each day;

Whereas for every child who fatally drowns in the United States, there are four near-drowning incidents that require emergency care and can lead to brain damage resulting in permanent disabilities ranging from loss of memory to the loss of all basic functions;

Whereas children are the most susceptible to fatal drowning incidents with one out of four victims being 14 years old or younger;

Whereas drowning is the second most common unintentional cause of death among children ages 1 to 14;

Whereas minority drowning rates greatly exceed the rates of White children;

Whereas according to the CDC, the fatal drowning rate for African-American children between the ages of 5 and 14 is over three times higher than the rate for White children, and the rate for American Indian and Alaska Native children is over two times higher;

Whereas according to a study by the University of Memphis, almost 60 percent of African-American and Latino children do not know how to swim as compared to roughly 30 percent of White children;

Whereas long-existing stigmas regarding minorities and swimming have contributed to the lack of swimming education in minority communities, and nonswimming minority families are far less likely than nonswimming White families to enroll in swimming lessons;

Whereas according to the United States Census Bureau, in 2007, 33.7 percent of African-Americans, 28.6 percent of Latinos, and 12.5 percent of Asian-Americans lived below the poverty line as compared to 10.1 percent of Whites, and swimming lessons can cost hundreds of dollars per course;

Whereas the Virginia Graeme Baker Pool and Spa Safety Act was signed into law in December 2007 addressing the pressing need for increased pool and spa safety requirements and education to prevent accidental deaths by drowning;

Whereas effective drowning prevention strategies require several approaches such as supervision, fully gated pools, CPR training, and swimming skills;

Whereas the ability to swim is an important and essential skill, and according to Safe Kids USA, in order to help prevent drowning, children should be enrolled in swimming lessons as early as age 4 to learn how to float, tread water, and enter and exit the pool; and

Whereas nonprofit initiatives, like the USA Swimming Foundation's program ''Make A Splash'', are working hard to meet the need for swimming lessons by partnering with local communities to offer all children access to swimming education: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses the importance of access to swimming lessons for all communities in the United States as an integral part of drowning prevention;

(2) recognizes the danger of fatal unintentional drowning in the United States;

(3) condemns the persistently high rates of fatal drowning among all children, and the particularly high rates of fatal drowning among minority children;

(4) celebrates the passage of the Virginia Graeme Baker Pool and Spa Safety Act;

(5) celebrates the work of initiatives like USA Swimming Foundation's ''Make A Splash'' and Safe Kids USA to educate parents and caregivers on water safety and drowning prevention messages; and

(6) encourages public and private funding to support current and future initiatives that provide all children access to swimming education.

CORRECTION TO THE CONGRESSIONAL RECORD OF MONDAY, SEPTEMBER 14, 2009, AT PAGE H9459

RECOGNIZING 15TH ANNIVERSARY OF THE VIOLENCE AGAINST WOMEN ACT

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 738) recognizing the 15th anniversary of the enactment of the Violence Against Women Act of 1994.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 738

Whereas in recognition of the severity of the crimes associated with domestic violence, sexual assault, and stalking, on September 13, 1994, President Bill Clinton signed the Violence Against Women Act of 1994 (hereinafter referred to as ''VAWA'') as part of the Violent Crime Control and Law Enforcement Act of 1994;

Whereas subsequent reauthorizations of VAWA include the Violence Against Women Act of 2000 (hereinafter referred to as ''VAWA 2000''), signed by President Bill Clinton, and the Violence Against Women Act and Department of Justice Reauthorization Act of 2005 (hereinafter referred to as ''VAWA 2005''), signed by President George W. Bush;

Whereas VAWA was the first comprehensive legislative package designed to end violence against women;

Whereas the protections and provisions afforded by VAWA were subsequently expanded and improved by VAWA 2000, which created a legal assistance program for victims and expanded the definition of domestic violence crimes to include dating violence and stalking;

Whereas VAWA and interventions funded by that Act have reduced the incidence of domestic violence, have lowered sexual assault rates, and have averted societal costs by reducing the need for emergency and medical responses;

Whereas VAWA has succeeded in bringing communities together to address domestic violence, dating violence, sexual assault, and stalking, including combined efforts by law enforcement, prosecutors, courts, victim services, and community-based programs to develop long-term plans for addressing such crimes locally and statewide;

Whereas VAWA has provided crucial Federal support to Indian tribes to combat the problems of sexual and domestic violence in Indian country;

Whereas VAWA brings innovative practices to the field by funding demonstration projects and training, and supporting the development of specialized courts and police teams;

Whereas the Sexual Assault Services program, authorized by VAWA 2005, enabled the 1,300 rape crisis centers in the United States to reduce waiting lists, reach out to underserved communities, and provide more comprehensive services to survivors of sexual assault;

Whereas VAWA provides a means for many victims of domestic violence who were dependent on their batterers for immigration status to self-petition and obtain legal immigration status on their own, and to access legal services to flee violence and recover from trauma;

Whereas organizations throughout the United States have received grants under VAWA to provide legal assistance to young victims of dating violence;

Whereas VAWA has provided crucial Federal support for efforts by criminal justice officials and victim service providers to hold offenders accountable and to keep stalking victims safe;

Whereas the continued support of VAWA and subsequent Acts combating violence against women is essential to best serve the 3,400,000 individuals in the United States who are stalked each year; and

Whereas September 13, 2009, marked the 15th anniversary of the enactment of the Violence Against Women Act of 1994: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 15th anniversary of the enactment of the Violence Against Women Act of 1994;

(2) continues to support the goals and ideals of the Violence Against Women Act of 1994 and its subsequent reauthorization Acts; and

(3) recognizes the need to continue vigorous enforcement of the provisions of the Violence Against Women Act of 1994 and similar Acts and programs to deter and prosecute crimes of violence against women.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

(The following Members (at the request of Mr. FORBES) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, September 22.

Mrs. BACHMANN, for 5 minutes, today.

Mr. MILLER of Florida, for 5 minutes, today.

Mr. WOLF, for 5 minutes, September 16.

Mr. NEUGEBAUER, for 5 minutes, today and September 16.

Mr. TIM MURPHY of Pennsylvania, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, September 16 and 17.

Mr. DEAL of Georgia, for 5 minutes, September 16.

Mr. PRICE of Georgia, for 5 minutes, today.

Mr. FORBES, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

(The following Members (at their request) to revise and extend their remarks and include extraneous material:)

Mr. GOHMERT, for 5 minutes, today.

Mr. THOMPSON of Pennsylvania, for 5 minutes, today.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 16, 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:

3352. A letter from the Secretary, Department of Defense, transmitting authorization of an officer to wear the authorized insignia of the grade of major general, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

3353. A letter from the Assistant Secretary, Department of Defense, transmitting a report to Congress specifying each Reserve component the additional items of equipment that would be procured and additional military construction projects for FY 2010, pursuant to 10 U.S.C. 10543(c); to the Committee on Armed Services.

3354. A letter from the Assistant Secretary, Department of Defense, transmitting a quarterly report of withdrawals or diversions of equipment from Reserve component units; to the Committee on Armed Services.

3355. A letter from the Acting Deputy Under Secretary, Department of Defense, transmitting a report on the action taken by the department to identify and evaluate at all the stages of the acquisition of commercial computer software, pursuant to Public Law 110-417, section 803; to the Committee on Armed Services.

3356. A letter from the Assistant to the Board, Federal Reserve System, transmitting the Department's ''Major'' final rule — Capital Adequacy Guidelines; Small Bank Holding Company Policy Statement: Treatment of Subordinated Securities Issued to the United States Treasury under the Emergency Economic Stabilization Act of 2008 [Regulation Y; Docket No. R-1356] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3357. A letter from the Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's ''Major'' final rule — Energy Conservation Program: Energy Conservation Standards for Refrigerated Bottled or Canned Beverage Vending Machines [Docket No.: EERE-2006-STD-0125] (RIN: 1904-AB58) received September 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3358. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2008 annual financial report to Congress required by the Prescription Drug User Fee Act of 1992 (PDUFA); to the Committee on Energy and Commerce.

3359. A letter from the Secretary, Department of Health and Human Services, transmitting Food and Drug Administration's Report to Congress ''Changing the Future of Drug Safety: FDA Initiatives to Strengthen and Transform the Drug Safety System''; to the Committee on Energy and Commerce.

3360. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

3361. A letter from the Acting Under Secretary, Department of Commerce, transmitting a report to Congress on the intent to impose additional foreign policy export controls on transfers (in-country) to certain persons specified on the Entity List; to the Committee on Foreign Affairs.

3362. A letter from the Secretary, Department of Commerce, transmitting a periodic report on the National Emergency caused by the lapse of the Export Administration Act of 1979 for February 26, 2008 — February 25, 2009; to the Committee on Foreign Affairs.

3363. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-44, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3364. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-50, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3365. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-51, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3366. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-47, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3367. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 10-09 informing of an intent to sign a Project Agreement with Australia; to the Committee on Foreign Affairs.

3368. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment from the Government of Canada (Transmittal No. RSAT-08-1657); to the Committee on Foreign Affairs.

3369. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Foreign Affairs.

3370. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's Year 2009 Inventory of Commercial Activities, as required by the Federal Activities Reform Act of 1998; to the Committee on Oversight and Government Reform.

3371. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3372. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's fiscal year 2008 annual report prepared in accordance with Section 203(a) of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

3373. A letter from the Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3374. A letter from the Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3375. A letter from the Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3376. A letter from the Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3377. A letter from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting a report entitled, ''Fiscal Year 2008 Accounting of Drug Control Funds''; to the Committee on Oversight and Government Reform.

3378. A letter from the Deputy Associate Director for Management and Administration, Office of National Drug Control Policy, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3379. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the ''21st Century Department of Justice Appropriations Authorization Act'', related to certain settlements and injunctive relief, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

3380. A letter from the Attorney General, Department of Justice, transmitting Constitutionality of Certificates of the Non-Existance of Records; to the Committee on the Judiciary.

3381. A letter from the Secretary, Department of Agriculture, transmitting the Department's Status Report on the Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project for Fiscal Year 2008; jointly to the Committees on Natural Resources and Agriculture.

3382. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information for the state of Texas; jointly to the Committees on Homeland Security, Transportation and Infrastructure, and Appropriations.

3383. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1851-DR for the State of Tennessee, pursuant to Public Law 110-239, section 539; jointly to the Committees on Homeland Security, Transportation and Infrastructure, and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. MATSUI: Committee on rules. House Resolution 745. Resolution providing for consideration of the bill (H.R. 3246) to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy (Rept. 111–255). Referred to the House Calendar.

Mr. POLIS: Committee on Rules. House Resolution 746. Resolution providing for consideration of the bill (H.R. 3221) to amend the Higher Education Act of 1965, and for other purposes (Rept. 111–256). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. REHBERG:

H.R. 3563. A bill to authorize the Crow Tribe of Indians water rights settlement, and for other purposes; to the Committee on Natural Resources.

By Ms. ROYBAL-ALLARD (for herself, Mr. HINOJOSA, and Mr. CONNOLLY of Virginia):

H.R. 3564. A bill to amend the Fair Labor Standards Act of 1938 to strengthen the provisions relating to child labor; to the Committee on Education and Labor.

By Mr. THOMPSON of Pennsylvania:

H.R. 3565. A bill to suspend temporarily the duty on dry adhesive copolyamide pellets; to the Committee on Ways and Means.

By Mr. THOMPSON of Pennsylvania:

H.R. 3566. A bill to extend the temporary suspension of duty on Orgasol; to the Committee on Ways and Means.

By Mr. NADLER of New York (for himself, Ms. BALDWIN, Mr. POLIS of Colorado, Mr. CONYERS, Mr. ENGEL, Ms. KILROY, Ms. SPEIER, Ms. BERKLEY, Mr. HASTINGS of Florida, Mrs. MALONEY, Mr. QUIGLEY, Mr. ISRAEL, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. ABERCROMBIE, Ms. DEGETTE, Mr. STARK, Mr. WEXLER, Mr. WELCH, Ms. LINDA T. SÁNCHEZ of California, Ms. WOOLSEY, Mr. CAPUANO, Mr. WEINER, Mr. SERRANO, Mr. OLVER, Mr. BLUMENAUER, Mr. MARKEY of Massachusetts, Ms. NORTON, Mr. HODES, Mr. ACKERMAN, Ms. VELÁZQUEZ, Mr. ANDREWS, Mr. FATTAH, Mr. GEORGE MILLER of California, Ms. LEE of California, Mr. HINCHEY, Mr. HONDA, Mr. MCDERMOTT, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mrs. LOWEY, Ms. CLARKE, Mr. ELLISON, Mr. BRADY of Pennsylvania, Mr. GUTIERREZ, Ms. EDWARDS of Maryland, Mr. KUCINICH, Mr. PALLONE, Mr. HOLT, Mr. LARSON of Connecticut, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. SCOTT of Virginia, Mr. BECERRA, Mr. MORAN of Virginia, Mr. FILNER, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. MURPHY of Connecticut, Mr. PASTOR of Arizona, Mrs. CAPPS, Mr. HEINRICH, Mr. DELAHUNT, Mr. MCGOVERN, Mr. SHERMAN, Mr. SESTAK, Mr. BERMAN, Ms. SHEA-PORTER, Mr. JACKSON of Illinois, Mr. ROTHMAN of New Jersey, Mr. KENNEDY, Mrs. DAVIS of California, Ms. PINGREE of Maine, Ms. HIRONO, Mr. TONKO, Ms. TSONGAS, Mr. JOHNSON of Georgia, Ms. MATSUI, Ms. HARMAN, Mrs. NAPOLITANO, Mr. TIERNEY, Mr. HIMES, Mr. COURTNEY, Mr. DOYLE, Ms. ZOE LOFGREN of California, Mr. FARR, Mr. MEEKS of New York, Mr. RANGEL, Mr. MAFFEI, Ms. DELAURO, Ms. CASTOR of Florida, Ms. MCCOLLUM, and Mr. WU):

H.R. 3567. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 3568. A bill to amend the Internal Revenue Code of 1986 to encourage charitable contributions of real property for conservation purposes by Native Corporations; to the Committee on Ways and Means.

By Mr. SCALISE:

H.R. 3569. A bill to provide a sunset date for all presidentially appointed czars, to require Senate confirmation of those positions, and to provide that appropriated funds may not be used to pay for any salaries and expenses associated with those positions; to the Committee on Oversight and Government Reform.

By Mr. CONYERS (for himself, Mr. BOUCHER, Ms. WASSERMAN SCHULTZ, and Mr. JOHNSON of Georgia):

H.R. 3570. A bill to amend title 17, United States Code, to reauthorize the satellite statutory license, to conform the satellite and cable statutory licenses to all-digital transmissions, and for other purposes; to the Committee on the Judiciary.

By Mr. BOEHNER (for himself, Mr. CANTOR, Mr. PENCE, Mr. ISSA, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BACHUS, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mr. BILIRAKIS, Mr. BISHOP

of Utah, Mrs. BLACKBURN, Mr. BLUNT, Mr. BONNER, Mrs. BONO MACK, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mrs. CAPITO, Mr. CARTER, Mr. CHAFFETZ, Mr. COFFMAN of Colorado, Mr. COLE, Mr. CONAWAY, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DENT, Mr. DREIER, Mr. DUNCAN, Mr. EHLERS, Ms. FALLIN, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARRETT of New Jersey, Mr. GERLACH, Mr. GOODLATTE, Ms. GRANGER, Mr. GRAVES, Mr. HARPER, Mr. HELLER, Mr. HENSARLING, Mr. HERGER, Mr. INGLIS, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JORDAN of Ohio, Mr. KING of New York, Mr. KINGSTON, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LANCE, Mr. LATOURETTE, Mr. LATTA, Mr. LEE of New York, Mr. LEWIS of California, Mr. LINDER, Mr. LOBIONDO, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCARTHY of California, Mr. MCCOTTER, Mrs. MCMORRIS RODGERS, Mr. MCHENRY, Mr. MCKEON, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. OLSON, Mr. PAUL, Mr. PETRI, Mr. PLATTS, Mr. POSEY, Mr. PUTNAM, Mr. RADANOVICH, Mr. ROGERS of Alabama, Mr. ROGERS of Kentucky, Mr. ROSKAM, Mr. ROYCE, Mr. SCALISE, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Texas, Mr. SOUDER, Mr. SULLIVAN, Mr. TERRY, Mr. TIBERI, Mr. TIAHRT, Mr. THOMPSON of Pennsylvania, Mr. TURNER, Mr. UPTON, Mr. WALDEN, Mr. WAMP, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WILSON of South Carolina, Mr. WOLF, Mr. YOUNG of Florida, and Mrs. BIGGERT):

H.R. 3571. A bill to prohibit the Federal Government from awarding contracts, grants, or other agreements to, providing any other Federal funds to, or engaging in activities that promote certain indicted organizations; to the Committee on Oversight and Government Reform.

By Mr. ALEXANDER:

H.R. 3572. A bill to provide a cost-of-living increase for Social Security benefits for 2010 of 2.9 percent; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 3573. A bill to amend the Internal Revenue Code of 1986 to prevent a change in residency as a result of extended official duty in the uniformed services, Foreign Service, or intelligence community from triggering the repayment provisions of the first time homebuyer credit, and for other purposes; to the Committee on Ways and Means.

By Mr. HIGGINS:

H.R. 3574. A bill to amend the Federal Election Campaign Act of 1971 to provide for limitations on expenditures in elections for the House of Representatives; to the Committee on House Administration.

By Mr. PERRIELLO:

H.R. 3575. A bill to amend title 38, United States Code, to provide for an increase in the maximum amount of veterans' mortgage life insurance available under laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. RANGEL:

H.R. 3576. A bill to secure the Federal voting rights of certain qualified ex-offenders who have served their sentences; to the Committee on the Judiciary.

By Mr. RODRIGUEZ (for himself, Mr. FILNER, Mr. HALL of New York, and Mr. TEAGUE):

H.R. 3577. A bill to amend title 38, United State Code, to provide authority for certain members of the Armed Forces who have served 20 years on active duty to transfer entitlement to Post-9/11 Educational Assistance to their dependents; to the Committee on Veterans' Affairs.

By Mr. VAN HOLLEN (for himself, Mr. PLATTS, and Mr. WALZ):

H.R. 3578. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Education and Labor.

By Mrs. BLACKBURN (for herself, Mrs. LUMMIS, Ms. FOXX, Mr. WOLF, Mr. SMITH of New Jersey, Mr. COBLE, Mr. STEARNS, Ms. FALLIN, Mr. SCHOCK, Mrs. SCHMIDT, Mr. GUTHRIE, Mr. INGLIS, Mr. POE of Texas, Mr. REHBERG, Mr. TIAHRT, Mr. WAMP, Mrs. CAPITO, Mr. PENCE, Mr. FRANKS of Arizona, Mr. PRICE of Georgia, Mrs. BIGGERT, Mr. RYAN of Wisconsin, Mr. CAMPBELL, Mr. GINGREY of Georgia, Mrs. MYRICK, Mr. ROE of Tennessee, Mr. SCALISE, Mr. DANIEL E. LUNGREN of California, Mr. BARTON of Texas, Mr. WHITFIELD, Mr. PAUL, Mr. ADERHOLT, Ms. JENKINS, Mr. OLSON, Mr. CASSIDY, Mr. BOUSTANY, Mr. BURTON of Indiana, Mr. ROONEY, Mr. SOUDER, Mr. MARCHANT, Mr. BISHOP of Utah, Mr. FLEMING, Mr. KLINE of Minnesota, Mrs. MILLER of Michigan, Mr. WESTMORELAND, Mr. CHAFFETZ, Mr. DUNCAN, Mr. COLE, Mr. MCHENRY, Mr. BARTLETT, Mr. COFFMAN of Colorado, Mr. LATTA, Mr. GOHMERT, Mr. BILBRAY, Mr. TERRY, Mr. JORDAN of Ohio, Mr. HELLER, Mr. MCCARTHY of California, Mr. PLATTS, Mr. BROWN of South Carolina, Mr. GARY G. MILLER of California, Ms. GRANGER, Mr. HENSARLING, Mr. LOBIONDO, Mr. NUNES, Mrs. EMERSON, Mr. BRADY of Texas, Mr. AUSTRIA, Mrs. BACHMANN, Mr. CULBERSON, Mr. ROGERS of Michigan, Mr. UPTON, Mr. SULLIVAN, Mr. WALDEN, Mr. MCCAUL, Mr. SHADEGG, Mr. CARTER, Mr. THORNBERRY, Mr. CONAWAY, Mr. NEUGEBAUER, Mr. LINDER, Mr. PITTS, Mr. LAMBORN, Mr. SHIMKUS, Mr. AKIN, Mr. BROUN of Georgia, Mr. KINGSTON, Mr. MCCLINTOCK, Mr. ROGERS of Alabama, Mr. MCKEON, Mr. YOUNG of Florida, Mr. BONNER, Mr. TURNER, and Mr. DAVIS of Kentucky):

H. Con. Res. 185. Concurrent resolution expressing the sense of Congress that the President should issue, and Congress should hold hearings on, a report and a certification regarding the responsibilities, authorities, and powers of his ''czars''; to the Committee on Oversight and Government Reform.

By Mr. HOYER:

H. Res. 744. A resolution raising a question of the privileges of the House; considered and agreed to.

By Mr. HALL of New York (for himself, Mr. HINCHEY, Mr. MARSHALL, and Mr. TIAHRT):

H. Res. 747. A resolution congratulating the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

174. The SPEAKER presented a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 120 memorializing the Congress of the United States to make eradication of the fever tick in South Texas a priority and continue to provide appropriate funding and resources for this effort; to the Committee on Agriculture.

175. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Joint Resolution No. 352 urging the United States Congress to enact H.R. 1633 of the 111th U.S. Congress, the ''Honor the Written Intent of our Soldier Heroes Act''; to the Committee on Armed Services.

176. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 22 urging the Congress of the United States to reopen consideration of this case to posthumously award the Medal of Honor to World War I hero Marceliao Serna; to the Committee on Armed Services.

177. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 73 urging the United States Congress to maintain the Federal Family Education Loan Program and continue to refine and improve this crucial public-private partnership; to the Committee on Education and Labor.

178. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1330 memoralizing the Congress of the United States, to authorize the Silver Alert Grant Program; to the Committee on Energy and Commerce.

179. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 152 memorializing the Congress of the United States to support federally funded and stated-funded home and community-based services for individuals with disabilities of any age, especially elders; to the Committee on Energy and Commerce.

180. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 202 memorializing Congress to encourage the establishment of a research center in New Jersey dedicated to chronic neuroendocrine immune disorders; to the Committee on Energy and Commerce.

181. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 206 memorializing Congress to reauthorize the ''Ryan White HIV/AIDS Treatment Modernization Act of 2006''; to the Committee on Energy and Commerce.

182. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 147 memorializing the Congress of the United States to oppose offshore drilling for oil or natural gas and urging the President and Congress to support energy independence and renewable resources; to the Committee on Natural Resources.

183. Also, a memorial of the Legislature of the State of Texas, relative to House Joint Resolution 39 memorializing the Congress of the United States to post-ratify Amendment XXIV to the Constitution of the United States prohibiting the denial or abridgement of the right to vote for failure to pay any poll tax or other tax; to the Committee on the Judiciary.

184. Also, a memorial of the Senate of the State of Oklahoma, relative to Senate Joint Resolution No. 11 memorializing the Congress of the United States to rescind applications by the Legislature to call a constitutional convention; to the Committee on the Judiciary.

185. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 38 urging the Congress of the United States to restore the presumption of a service connection for Agent

Orange Exposure to United States Navy and United States Air Force veterans who served on the inland waterways, in the territorial waters, and in the airspace of the Republic of Vietnam; to the Committee on Veterans' Affairs.

186. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 86 urging the United States Congress to support the establishment of a veterans hospital in the Rio Grande Valley; to the Committee on Veterans' Affairs.

187. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution 183 urging the United States Congress to reject the provisions of President Barack Obama's budget that would eliminate the intangible drilling costs deduction, percentage depletion allowance, geologic and geophysical costs deduction, and domestic production activities deduction and to encourage instead the development of Texas oil and natural gas; to the Committee on Ways and Means.

188. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 10 urging the Congress of the United States to provide emergency funding and resources to begin immediately addressing increasing delays at United States ports of entry on the Texas-Mexico border; to the Committee on Homeland Security.

189. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 79 urging the United States Congress to refine Department of Homeland Security policy to consider risk levels as well as population size in assessing the financial needs of first responders in border communities along the international boundary created by the Rio Grand; to the Committee on Homeland Security.

190. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 157 urging the Congress of the United States to support the development of onshore and offshore wind energy in New Jersey and to further support offshore wind energy development; jointly to the Committees on Natural Resources, Energy and Commerce, and Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mrs. BONO Mack.
H.R. 39: Mr. COHEN.
H.R. 211: Mrs. HALVORSON.
H.R. 219: Mr. WITTMAN.
H.R. 303: Mr. PIERLUISI, Mr. CONNOLLY of Virginia, and Mr. BOSWELL.
H.R. 345: Mr. GERLACH.
H.R. 503: Mr. SESTAK.
H.R. 510: Mr. HODES, Mr. WESTMORELAND, and Mr. WU.
H.R. 537: Mr. SCHOCK.
H.R. 560: Mr. EDWARDS of Texas and Mr. ANDREWS.
H.R. 571: Ms. SCHAKOWSKY, Mr. KAGEN, and Ms. KILROY.
H.R. 697: Ms. HERSETH SANDLIN.
H.R. 745: Ms. SPEIER.
H.R. 811: Mr. BOSWELL.
H.R. 847: Mrs. CAPPS.
H.R. 927: Mr. TANNER.
H.R. 944: Mr. CONNOLLY of Virginia.
H.R. 953: Mr. GRAVES and Mr. LUJÁN.
H.R. 954: Mr. COHEN.
H.R. 1019: Mr. FLEMING.
H.R. 1054: Mr. MCCAUL, Mr. KIND, Mr. CARTER, and Mrs. BACHMANN.
H.R. 1055: Mr. MCCAUL.
H.R. 1067: Mr. SCHAUER and Mr. OBERSTAR.
H.R. 1074: Mr. DAVIS of Tennessee and Mr. CARNEY.
H.R. 1075: Mr. ROONEY.
H.R. 1086: Mr. HERGER.
H.R. 1101: Mr. ROTHMAN of New Jersey.
H.R. 1136: Mr. PAUL and Mr. CASSIDY.
H.R. 1142: Ms. SHEA-PORTER.
H.R. 1175: Mr. MURPHY of New York.
H.R. 1182: Mr. DAVIS of Kentucky, Mr. MILLER of Florida, Mr. KISSELL, Mr. PASTOR of Arizona, Mr. MICHAUD, Mr. ELLISON, Mr. GRIFFITH, and Ms. SCHAKOWSKY.
H.R. 1204: Mr. SCHAUER.
H.R. 1207: Mr. SCHRADER and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1210: Mr. ADERHOLT.
H.R. 1214: Mr. SCHAUER and Ms. BEAN.
H.R. 1215: Mr. ABERCROMBIE.
H.R. 1245: Mr. KAGEN and Mr. SOUDER.
H.R. 1255: Mr. HENSARLING.
H.R. 1274: Ms. SCHAKOWSKY.
H.R. 1324: Mr. POMEROY and Mr. RUPPERSBERGER.
H.R. 1326: Ms. KILROY.
H.R. 1362: Mr. LOBIONDO, Mr. MOORE of Kansas, Mr. HONDA, Mr. MANZULLO, and Mr. LATOURETTE.
H.R. 1430: Mr. WITTMAN.
H.R. 1458: Mr. ROTHMAN of New Jersey and Mr. LEWIS of California.
H.R. 1483: Mr. COHEN.
H.R. 1671: Mr. MCNERNEY and Mr. KILDEE.
H.R. 1744: Ms. WATSON and Mr. WEXLER.
H.R. 1751: Mr. WATT.
H.R. 1766: Mr. VAN HOLLEN, Mr. WEXLER, and Ms. ROS-LEHTINEN.
H.R. 1822: Mr. BROWN of South Carolina, Mr. JORDAN of Ohio, Mr. MORAN of Kansas, and Mr. MANZULLO.
H.R. 1835: Mrs. BIGGERT and Mr. CLAY.
H.R. 1925: Mr. DAVIS of Illinois, Mr. DOYLE, and Mr. WATT.
H.R. 1926: Mr. COHEN.
H.R. 2002: Ms. KOSMAS.
H.R. 2016: Mr. CONYERS.
H.R. 2084: Mr. TERRY.
H.R. 2129: Mr. ALTMIRE.
H.R. 2132: Mr. PASTOR of Arizona.
H.R. 2139: Mr. HEINRICH, Mr. SHIMKUS, and Mr. SERRANO.
H.R. 2214: Mr. DOGGETT and Mr. ABERCROMBIE.
H.R. 2251: Mr. RAHALL, Mr. EHLERS, Mr. BRALEY of Iowa, and Mr. TERRY.
H.R. 2298: Mr. BURTON of Indiana, Mrs. BACHMANN, and Mr. GRIJALVA.
H.R. 2329: Ms. EDWARDS of Maryland.
H.R. 2336: Mr. ROTHMAN of New Jersey.
H.R. 2339: Ms. PINGREE of Maine.
H.R. 2429: Mr. WELCH.
H.R. 2443: Ms. HERSETH SANDLIN, Mr. MICHAUD, Mr. KAGEN, and Mr. WELCH.
H.R. 2521: Ms. CHU.
H.R. 2546: Mr. BILBRAY, Mr. STUPAK, Mr. DAVIS of Kentucky, Ms. HARMAN, and Ms. TITUS.
H.R. 2547: Mr. BURTON of Indiana.
H.R. 2560: Mr. ROTHMAN of New Jersey.
H.R. 2713: Ms. GINNY BROWN-WAITE of Florida.
H.R. 2720: Mr. TOWNS.
H.R. 2724: Mr. PASTOR of Arizona and Mr. COHEN.
H.R. 2740: Mr. COURTNEY.
H.R. 2766: Mr. CLAY.
H.R. 2807: Mr. MCMAHON, Mr. MOORE of Kansas, and Mr. HEINRICH.
H.R. 2811: Mr. MORAN of Virginia.
H.R. 2818: Mr. SESTAK.
H.R. 2819: Mr. HINCHEY.
H.R. 2835: Mr. SHERMAN.
H.R. 2866: Mr. LATOURETTE.
H.R. 2872: Mr. COURTNEY.
H.R. 2935: Mr. HASTINGS of Florida and Mr. HELLER.
H.R. 2964: Mr. LUETKEMEYER.
H.R. 3012: Mr. BISHOP of Georgia and Ms. CLARKE.
H.R. 3017: Ms. SUTTON and Ms. KILPATRICK of Michigan.
H.R. 3048: Mr. CONYERS and Mr. MCGOVERN.
H.R. 3070: Mr. SESTAK.
H.R. 3094: Mr. GRIJALVA.
H.R. 3116: Mr. BARRETT of South Carolina and Mr. CHILDERS.
H.R. 3179: Mr. SHERMAN.
H.R. 3238: Mr. AL GREEN of Texas, Mr. SESTAK, Ms. EDWARDS of Maryland, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Mr. COURTNEY.
H.R. 3245: Mr. WATT.
H.R. 3250: Mr. CROWLEY, Mr. ISRAEL, and Mr. RANGEL.
H.R. 3266: Mr. WEXLER and Mr. HASTINGS of Florida.
H.R. 3286: Mr. GORDON of Tennessee, Ms. LEE of California, and Mr. BRALEY of Iowa.
H.R. 3308: Mr. WOLF.
H.R. 3321: Mr. SABLAN, Ms. EDWARDS of Maryland, Mr. BLUMENAUER, and Mr. MCGOVERN.
H.R. 3341: Mr. TURNER.
H.R. 3343: Mr. KUCINICH.
H.R. 3463: Mrs. SCHMIDT.
H.R. 3472: Mr. SCHAUER and Mr. PETERS.
H.R. 3498: Mr. ROGERS of Kentucky.
H.R. 3527: Mr. SHERMAN.
H.R. 3550: Ms. SCHAKOWSKY and Ms. HIRONO.
H.R. 3551: Ms. SCHAKOWSKY and Ms. HIRONO.
H. J. Res. 50: Mr. MANZULLO.
H. Con. Res. 42: Mr. DAVIS of Illinois.
H. Con. Res. 43: Mr. DAVIS of Illinois.
H. Con. Res. 157: Mr. TURNER.
H. Con. Res. 170: Mr. SOUDER and Mr. WOLF.
H. Con. Res. 178: Mr. BERMAN.
H. Con. Res. 181: Mr. EHLERS and Mrs. MILLER of Michigan.
H. Res. 164: Mr. PALLONE.
H.Res. 487: Mr. SULLIVAN and Mr. WHITFIELD.
H.Res. 494: Mr. HEINRICH.
H.Res. 598: Mr. SCHIFF and Mr. FILNER.
H.Res. 599: Mr. TIERNEY.
H.Res. 604: Mr. GOHMERT and Mr. MCCOTTER.
H.Res. 613: Mr. WELCH.
H.Res. 615: Mr. KIRK.
H.Res. 660: Mr. THOMPSON of Mississippi and Mr. CLAY.
H. Res. 666: Mr. CONYERS.
H. Res. 671: Mr. PAUL and Mr. FLAKE.
H. Res. 707: Mr. PETERSON.
H. Res. 725: Mr. MOORE of Kansas, Mr. Teague, Mr. REYES, Mr. COSTELLO, Mr. HINCHEY, Mr. HASTINGS of Florida, Mr. WALZ, Mr. POMEROY, Mr. SPRATT, Ms. MATSUI, Mr. BERRY, Mr. LEWIS of Georgia, Mr. MASSA, Mr. EDWARDS of Texas, Mr. SPACE, Mr. KIND, Mr. BAIRD, Mr. MORAN of Virginia, Mr. POLIS of Colorado, Mr. LIPINSKI, Mr. KLEIN of Florida, Mr. DOGGETT, Mr. RODRIGUEZ, Mr. HINOJOSA, Mr. CUELLAR, Mr. ORTIZ, Mr. GRAYSON, Mr. OLVER, Mr. DAVIS of Tennessee, Mr. BOSWELL, and Ms. MARKEY of Colorado.
H. Res. 727: Mr. EHLERS, Ms. EDWARDS of Maryland, Mr. SPRATT, Ms. ZOE LOFGREN of California, Ms. KAPTUR, Mr. MCCOTTER, and Ms. BORDALLO.
H. Res. 729: Mr. BILBRAY and Mr. MCCAUL.
H. Res. 734: Mr. HERGER, Mr. COFFMAN of Colorado, Mr. BOCCIERI, Mr. OLSON, Mr. SMITH of Nebraska, Mr. KING of Iowa, Mr. AKIN, Mr. MCHENRY, Mr. ROSKAM, Mr. GUTHRIE, Mr. LUETKEMEYER, Mr. BISHOP of Utah, Mr. REICHERT, Mr. RADANOVICH, Mr. CAMP, Mr. DAVIS of Kentucky, Mr. MCCOTTER, Mr. PITTS, Mr. WOLF, Ms. FALLIN, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. CARTER, Mr. PAULSEN, Mr. GOODLATTE, Mr. WHITFIELD, Mr. ADERHOLT, and Mr. FRANKS of Arizona.
H. Res. 736: Mr. SMITH of New Jersey.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks,

limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative GEORGE MILLER of California, or a designee, to H.R. 3221 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2480: Mr. LANCE.

H. Res. 648: Mr. JACKSON of Illinois.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

66. The SPEAKER presented a petition of the City of Miami, FL, relative to Resolution 09-0383 petitioning President Barak Obama and the United States Congress to adopt the Military Readiness Enhancement Act of 2009 (H.R. 1283), which eliminates the ''Don't Ask, Don't Tell'' policy; to the Committee on Armed Services.

67. Also, a petition of the City of Oakland Park, Florida, relative to Resolution No. R-2009-099 urging the President and the United States Congress to adopt the Military Readiness Enhancement Act of 2009 (H.R. 1283), which eliminates the ''Don't Ask, Don't Tell'' policy; to the Committee on Armed Services.

68. Also, a petition of California Democratic Party, relative to a Resolution petitioning the Congress of the United States to pass single-payer healthcare, or, at a minimum, pass a law that will include a provision ensuring that states maintain the ability to enact truly universal health care through a state-based, single-payer health plan; to the Committee on Energy and Commerce.

69. Also, a petition of Essex County Board of Supervisors, New York, relative to Resolution No. 244 urging the United States Congress to work with the Vermont Department of Transportation to fast track the repairs/renovations to the Crown Point Bridge and to request stimulus funding for these repairs/renovations; to the Committee on Transportation and Infrastructure.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, SEPTEMBER 15, 2009 No. 130

Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND BURRIS, a Senator from the State of Illinois.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, You know all about us. You know when we sit down and rise up. You know when we sin and when we obey. Purge our lives of every wrong thing, that we may glorify You in all we say and do.

Lord, guide our lawmakers in their daily work. Enlighten their minds and strengthen their hearts. May they not neglect to see the beauty and wonder in our world as they find joy in the loveliness of nature, the satisfaction of friendship, and the conquest of difficulties. Teach them to listen for Your voice and to wait for Your guidance. Lift their lives from the battle zone of combative words to a caring community where leaders pray for and communicate esteem to each other.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND 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, September 15, 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 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, there will be a period for the transaction of morning business for an hour, with Senators permitted to speak for up to 10 minutes each. The majority will control the first 30 minutes and the Republicans will control the final 30 minutes.

Following morning business, the Senate will resume consideration of H.R. 3288, the Transportation-HUD appropriations bill. On this legislation, the chairman of the subcommittee, Senator MURRAY, was available Thursday afternoon, Friday, and Monday. There has been little, if any, interest in moving amendments to the floor. I would hope we could finish the bill today. We are not going to have any votes late this afternoon, but I would hope that if people determine they are not going to offer amendments, they at least let us finish the bill. This will be only our fifth appropriations bill we will have done. We have many more to do. I have trouble comprehending people not letting us finish these bills and then complaining that we have to do a continuing resolution to fund the government.

That is where we are. I hope we can have cooperation. I hope we do not have to file cloture on this bill. It would seem to be so unnecessary. Remember, I repeat, she was here Thursday, Friday, and Monday. She will be here today in just a few minutes—''she'' meaning PATTY MURRAY.

The Senate will recess from 12:30 p.m. to 2:15 p.m. today for the weekly caucus luncheons. There will be no rollcall votes after 3 p.m. today.

Mr. President, I had a meeting with Senator MCCONNELL. We try to get together personally every week. It is nice that we have a chance to visit privately. But also we talked about what the schedule is going to be. We have a lot to do. I went over that in some detail with the Republican leader. We have now scheduled a work period at home on Columbus Day week. We have many times in the past taken that recess because there is so much work to do at home. But we cannot do that unless we complete our work here. I have explained that to the Republican leader, and he knows that. We will see what progress we can make in the next few weeks as to whether we can do that.

I will not go into detail about all the work we have to do, but we are on a fiscal year basis. That fiscal year ends at the end of September. We are in September now. We have a lot of must-do legislation we have to move forward on as quickly as we can.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. REID. Excuse me, Mr. President, I withdraw that request. I did not see my friend from North Dakota. I withdraw that request and ask the Chair to announce that we are in a period of morning business.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

Senate will proceed to a period for the transaction of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the second half.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for as much time as I may consume in our allotted 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENERGY LEGISLATION

Mr. DORGAN. Mr. President, I wish to visit for just a few moments today the subject of energy policy.

Most of us spend all of our day having a better day because of energy and think very little about it. We get up in the morning, perhaps, and use an electric razor or an electric toothbrush. We go to the kitchen and have some coffee that was made by plugging the coffee maker in or turning on a stove. Then we get in a car, put a key in an ignition, start an engine, and off to work. We do all the while using all the energy available to us all day long, never thinking much about it.

We have a serious energy problem in this country in that a substantial amount of energy we use, particularly oil which comes from outside our country, including from some countries that do not like us very much. We are about 70 percent dependent on foreign countries for our oil, and, as I indicated, some of those countries are in some difficulty and turmoil. Yet we are unbelievably dependent on them to help supply our oil.

One of the propositions is, should we not produce more American energy? Should we not have more conservation in this country? Should we not have a plan that makes us less vulnerable and less dependent and improves our national security and our energy security? Of course, the answer to these questions is yes.

This is a big-old planet of ours, and we stick straws in the planet and suck oil out. Today, Tuesday, we will take out from the drilling rigs where we produced about 85 million barrels of oil from underground. One-fourth of it needs to be used in this country. The United States needs one-fourth of all the oil that is produced in the world today. As I said, 70 percent of that oil comes from outside of our country, and about 70 percent of the oil we use in this country is used in our transportation system.

We have a very serious dependency on oil. It makes us less secure nationally, and it creates all kinds of other issues. So the question is, What do we do about that problem? That is what I want to talk about for a few minutes, and I also want to talk about it in the context of some news reports that said recently that I and several others somehow did not support climate change legislation. Let me make clear what my position is regarding acting on climate change legislation.

I have said on the floor of the Senate early this summer that I do not support cap and ''trade.'' I do not have any interest in supporting legislation that will establish a trillion-dollar carbon trading securities market. This could benefit Wall Street, speculators and big investment banks who would be trading carbon on a Monday so we can determine how much energy prices are going to be on a Tuesday depending on how well that trading went on Monday. I have no interest in doing that type of activity. Not very long ago we saw what has happened to the price of gasoline and oil. For example, the price of oil went from about $40 a barrel to $147 a barrel in day trading in a little more than a year without any notion of supply or demand changes. How can you justify the runup on the price of oil from $40 to $147 a barrel over a number of months? I have already seen abuses of other markets. I have seen the markets with respect to derivatives and swaps and all of the exotic instruments that have been created in order to be traded on other markets. I have no interest in the carbon market ''trade'' portion of ''cap and trade'' and would not be intending to support that. There are other ways for us to have a lower carbon future.

I do believe there is something happening to our climate to which we should be very attentive to. I do believe a series of no-regret steps, at the very least, makes a lot of sense right now as we begin to address reducing greenhouse gas emissions.

Let me say that while I have said I do not intend to be supportive of the cap-and-trade approach, especially with quotes around ''trade,'' I think there are some things we can, will, and must do to address the issue of climate change and bring about a low carbon future. Having said that, my hope is that the legislation already passed through the Senate Energy Committee will be brought to the floor for a debate because it makes significant steps toward addressing energy and climate change policy. It will also reduce our dependence on foreign oil and increase our national and energy security. This is achieved for our country by producing more American energy and by incentivizing the kinds of things that can serve, save, and create other forms of energy as well.

Let me talk just for a bit about the bill passed by the Senate Energy Committee. Some people have said that we have to bring an energy bill to the floor and combine it with a climate change bill. I do not believe that should be done at this time. In my judgment, it would be much smarter to bring an energy bill to the floor which has already passed out of the committee with a bipartisan vote. It is called the American Clean Energy Leadership Act. We should bring that bill to the floor, debate it, pass it, and get it to the President for his signature. That would do something very significant for our country's energy future. After that, we should then turn to address climate change legislation and how we create a low carbon future.

Here is what is in that legislation that I hope we will bring to the floor of the Senate first.

Renewable electricity standard. There is an old saying: If you don't care where you are going, you are never going to be lost. That is certainly true for a country and a congress. If you do not establish standards and say: Here is what we aspire to achieve, then you will never know whether you have met it. We should strive for a renewable electricity standard of 20 percent. The current bill's standard has 15 percent. When we get an energy bill to the floor, my hope would be we would have a 20-percent combined renewable electricity standard that says that we aspire to achieve this level of renewable energy as part of our country's electricity mix by 2021.

This would be the first national standard in the history of this country. More than half the States have already taken action in this area, but we need a national standard that creates the goal of what we aspire to achieve. A strong, national renewable electricity standard is what I support. There is currently a national standard in this energy bill which we can bring to the floor. Having a standard drives additional production of renewable energy. It is one significant step towards addressing climate change. Wind energy, solar energy, biomass are the types of renewable energy that this country needs to increase. Through an RES, we can incentivize that additional production.

Turning to energy efficiency, the lowest hanging fruit by far in energy is about taking steps to make our buildings more efficient. The MacKenzie study shows many ways to reduce emissions. By far the least costly, most effective, way to address energy and greenhouse gas emissions is through efficiency improvements in our buildings, homes, equipment, appliances, and factories. All of these areas are dealt with in this energy legislation, promoting much greater movement toward achieving the conservation that comes from expanded energy efficiency programs.

Another thing that is in this bill is building an interstate highway system of transmission capability. We can produce a lot of new renewable energy, but if we do not move it from where it is produced to where it is needed. We need to move it to the load centers otherwise it will not have done much good.

My home State, North Dakota, is No. 1 in wind production. The folks at the Department of Energy call North Dakota the Saudi Arabia of wind. We are almost born leaning toward the northwest against that prevailing wind. We

have a lot of wind. The fact is we don't need wind power in our State. What we need to do is maximize the production of wind power and move it to the load centers. In order to do that, you need a national interstate highway of transmission capability. We are not able to build it now, but the energy legislation that passed the Senate Energy Committee will give us the opportunity to do that.

We have built 11,000 miles of natural gas pipeline in the last 9 years to send natural gas through pipes around this country. During the same period of time, we have built less than 660 miles of high-voltage interstate transmission lines. Why? Because with the current rules, it is very hard to build interstate transmission lines, you almost can't get it done.

So this legislation has a transmission piece I helped write that gives us the opportunity to say: We are going to maximize the development of renewable energy sources, such as wind energy from the heartland, and solar energy from the South and Southwest. This legislation would allow us to move it from these areas where the energy is produced and then move it to the load centers where it is needed, by way of an interstate highway system of transmission capability, which we do not now have. Building an interstate highway system of transmission lines would be a huge boost to this country's energy future and also a significant step toward reducing our greenhouse gas emissions. It would accomplish this by allowing the development of clean energy sources, such as wind energy, solar energy, biomass, and others.

The bill would also reduce our dependence on foreign oil by transforming our transportation system. We are headed toward plug-in vehicles. Electrifying the short-haul transportation system is the best way to reduce the role foreign oil plays in our economy. By electrifying our cars at the same time as we reduce the amount of carbon produced by electric generation, which I will talk about in a minute, we not only cut our dependence on foreign oil but we also reduce our greenhouse gas emissions. Plug-in hybrid vehicles, I think, are a bridge to the electric future integrating the electric motor with a gasoline engine. All this is trying to aspire a new direction for our country.

I wish to say the most abundant resource we have is coal, and the energy legislation passed by the Senate Energy Committee also addresses the use of coal. Some people have said: Well, it might not be used in the future, I disagree completely. It is our most abundant resource. In this bill, we facilitate a large-scale demonstration and deployment of carbon-capturing storage technology which will allow us to continue to use coal while also capturing the carbon and using it for other products or sequestering it. But we can continue to use our most abundant resource, and we facilitate those necessary demonstration projects in this legislation.

This legislation will also be helpful to hydrogen and fuel cell technology in the future, which I am a strong supporter of. I believe hydrogen and fuel cell technology is another generation we need to work on with respect to the research. Finally, let me say I offered an amendment during the energy deliberations on this bill that opens the eastern Gulf of Mexico, including the Destin Dome in the Gulf of Mexico, for oil and gas development.

In other words, I believe we ought to do a lot of everything. We should be developing more, producing more including oil and natural gas. We should also find a way to produce coal in a manner that protects our environment, and we will. We should conserve more and save more. We should do all those things. But in the eastern Gulf of Mexico, there are about 3.8 billion barrels of oil and about 21 trillion cubic feet of natural gas. It makes no sense that we are so unbelievably and excessively dependent on foreign oil when we are not producing that which we have in our country. We should do all of that mindful of the environment; mindful of all the protections that are necessary. I understand that.

So I offered the amendment that opens the eastern gulf with a 45-mile buffer zone. I did not offer this amendment, but I will when we get it to the floor. This amendment will allow our oil companies to compete for production capability in the Cuban waters. The country of Cuba is interested now in producing and leasing oil and gas. The Spanish are there, the Canadians are there, India is there, and China is interested, but our companies are prohibited because of an unbelievable 50-year moratorium, against the country of Cuba. A 50-year embargo, which is almost farcical in terms of its failure.

We are told it is okay for everybody else to go there. We are told there are a million barrels a day in those waters after the production. There is no one in the world that is better at the kind of ultra or unconventional deepwater drilling than America. We have done the research. We have done the work to understand that we drill better than anybody else in the world. Yet we are told our companies are not able to compete for leasing in those Cuban waters. This embargo makes no sense at all.

As I said previously, I happen to think we should do a lot of everything and do it well. Whether it is conservation or other related issues—producing more, conserving more—and increasing the use of renewable sources of energy, we will step, in a giant way, toward addressing climate change. It is exactly what we should do.

We are told: Well, you have to bring Waxman-Markey or you have to do this or that. What we have to do, it seems to me, is to be smart. The smart thing, in my judgment, would be to take the legislation the Senate Energy Committee has passed, which does all the things I have described. It would contribute, in a very positive way towards reducing our greenhouse gas emissions and increasing our national and energy security by making us less dependent on foreign oil and making us more dependent on American-produced energy.

I mean, why would we not want to have a much greater focus on American energy produced in this country? Why would we not want to have a much more significant focus on developing national aspirations for what we want to do with renewable energy? It is this old case of we kind of walk around and say: Well, whatever happens, happens. Well, the fact is we can't consign our future to that.

I have spoken about, I guess a dozen times on the floor, that my first car, as a very young boy, was one my father found in a grainery in an old abandoned farm in North Dakota. I bought it from the guy who put it in that grainery for $25. It was a 1924 Model T Ford, completely rusty, with no wires or seat covers. All it was was a bunch of metal and a bunch of rust. As a young boy, I lovingly restored that old Model T. What I discovered, when I got it all done and running, was that you put gasoline in that Model T the same way you do in 2009 cars. Everything else has changed except that. Cars are computerized today, but you still pull up to a gas tank, take the cap off, and put gas in that 1924 Model T, as you do with a brand spanking new Ford. That hasn't changed, but it must. It so describes how mired we are in our previous energy policies. We can't get out of the rut.

The Energy bill we passed in the Energy Committee gets us out of this rut, it makes us more secure, it strengthens our country, and it makes us less dependent on others for our energy sources. Particularly those who don't like us very much.

One final point. Several years ago, there was a blackout on the east coast. Just like that, all the electricity was gone. At that moment, almost everyone understood what energy meant to them, and we understood its connection to our daily lives. It is unbelievable. So the question of reliability of energy for our country. Where do we get it? How do we use it? What does it cost? What does it mean for our climate? These are all important, interesting, and in some cases difficult questions. We have addressed most of those questions in an energy bill Senator BINGAMAN and I and many others had a role in writing.

I hope very much, after the debate on health care legislation, as people start thinking and talking about energy and climate change, consideration will exist for bringing a good energy bill to the floor that is a significant step in the right direction toward climate change first. Then at some later point, bringing a climate change bill to the floor. Because I think they are related but separate. I think it would be much

smarter to get the value and the success of an energy bill that has been passed by the committee and ready to be dealt with by the Senate at some point very soon.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STEP BY STEP REFORM

Mr. ALEXANDER. Mr. President, I believe it is time for us in Congress to admit that we do not do ''comprehensive'' well, and that the era of the 1,000-page bill is over.

Look at immigration in 2007. Some of the best Senators here worked day and night trying to deal with that issue—Senator Kennedy, Senator KYL, Senator MCCAIN, Senator Martinez, and many others. They worked and they got 34 votes at first, not the 60 they hoped. Then finally they got 46 votes, 14 votes shy of the votes needed to pass a comprehensive immigration bill.

Or look at the economy-wide cap and trade as a way of dealing with climate change and clean energy. Senator MCCAIN and Senator LIEBERMAN worked on a bill 2 or 3 years ago. Last year the Warner-Lieberman version of the bill got 48 votes and it needed 60 votes.

Earlier this year we had 66 or 67 Senators, including two dozen Democrats, who voted to say don't put the economy-wide cap and trade through the so-called reconciliation process, the budget process which would take only 50 votes to pass.

Then, add to that, health care is in the ditch. The President has said there can't be any deficit added by the health care bill, so that kills deader than a doornail the House health care bill which has been worked on by several committees over there. It kills deader than a doornail the Senate health care bill because both add to the debt in the next 10 years and, according to the Congressional Budget Office and others who have reviewed it, add to the debt in the 10 years after that. So the President said he won't sign a bill with any deficit, the House bill is deader than a doornail, the Senate bill is deader than a doornail, and we still have unresolved problems even if you fix the debt problem.

We have the President saying he is going to take the savings out of Medicare to pay for the bill. Many of us believe that any Medicare savings ought to be spent on Medicare. We ought not take money from Grandma's Medicare and spend it on anybody other than Grandma, because the program is about to go broke in 2017. The Democratic as well as the Republican Governors are worried about what the Governor of Tennessee called ''the mother of unfunded mandates,'' when these bills say we are going to expand Medicaid and we might pay for it a few years in Washington but after that we are going to shift it to the States with hundreds of millions of dollars of new State taxes. Employers are worrying about raising taxes in a recession. Older Americans, seniors, are worried about whether some government official is going to say you can't have your hip replaced because you are 70 years old. If debt hasn't killed the Senate and the House bills, all these other issues are still out there.

I propose we take a page from a famous little book which was widely passed out in Iowa and New Hampshire in 1995 and 1996. It is called Lamar Alexander's ''Little Plaid Book.'' I used it when I ran for President of the United States. Obviously not enough people read it for me to be successful. It has lots of good instructions about rules, lessons, and reminders about running for office and making a difference, whether you are President of the United States or president of your senior class. Here is rule 259:

> Keep in mind that enough small steps in the right direction will still get you where you want to go.

Mr. President:

> Keep in mind that enough small steps in the right direction will still get you where you want to go.

I think we should take that advice. I think it is plainly obvious that we in Congress have been biting off more than we can chew—on immigration, on health care, and on other issues. We have been producing 1,000-page bills which, in truth, most Members of Congress have not even read and in which voters have no confidence, and out of which will come unintended consequences and results that are bad for our country. The worst consequence is that the ambition of ours is so large, to solve these problems, that it inevitably adds to the debt—the national debt, the Government's debt, our taxpayer debt—at a time when we are adding $9 trillion to the debt in just 10 years and everyone is worried about how we are going to pay that back; and at a time, fairly or unfairly, when the American people are saying the new administration, it seems, has a new Washington takeover every other day: taking over banks, taking over insurance companies, taking over student loans—nobody asked them to take over student loans, they are just going to take them all over, all 15 million student loans are going to be run out of the U.S. Department of Education—taking over your farm ponds, maybe taking over health care, taking over car companies, maybe taking over climate change by having a czar in the Environmental Protection Administration wave a magic wand and impose it on the country.

The American people see 32 so-called czars who are unaccountable and it looks like a runaway Federal Government with no checks and balances.

Senator BYRD, the senior Democrat, has warned about the consequences of these unaccountable czars. Senator HUTCHISON, Senator COLLINS—senior Republicans—have warned about that as well.

Instead of thousand-page bills that do not succeed and in which the people of this country have no confidence, I suggest we change course, we follow rule 259 in the ''Little Plaid Book,'' and we begin to work on major issues facing our country, step by step, to reearn the trust of the American people, to begin to solve the big challenges of this country. We bite off what we can swallow. We make sure we get it right and after we have taken the first steps then we can take another series of steps until we eventually resolve the problem. A few steps in the right direction is a good way to get where you want to go.

How would this work in practice? Let's take health care. Instead of a trillion-dollar thousand-page comprehensive health care government-run plan, as a first step we might allow small business pooling to reduce health care costs, increase accessibility for small business owners, unions, associations and their workers, members and families. This bill has been here for 4 years. It is ready to pass. There are actually competing bills. But the estimates are it would add a million workers that small businesses could afford to cover by insurance. That is a good step in the right direction.

We might reform medical malpractice laws so runaway junk lawsuits don't continue to drive up the cost of health care. In Tennessee, there are 60 counties where there are not any OB/GYN doctors. That means mothers in those 60 counties of Tennessee have to drive a long way, they have to drive to Memphis, maybe 60 miles, to get the prenatal health care to have their babies. The President mentioned the other night some steps about junk runaway lawsuits, so there is a second small step we could take that could make a big difference about cost.

Third, we could allow individual Americans the ability to purchase health care across State lines as they can with car insurance today. We can probably agree on that here and it would probably make a difference. I used to be a Governor so I have an aversion to not respecting State lines, but in this case we may need to do this because the cost of health insurance could come down if we did it and cost is what we are focused on.

No. 4, we could ensure that Americans who currently qualify for existing programs such as Medicaid and the

Children's Health Insurance Program but are not enrolled get signed up. There are 11 million Americans, 20 percent of all the uninsured people in this country, who are eligible for current government programs called Medicaid or the Children's Health Insurance Program but have not signed up. Rather than wringing our hands about whether to pass some new thousand-page bill to try to run up the debt and deal with uninsured people, why don't we sign up the uninsured people who are already eligible for programs, and, No. 5, create health insurance exchanges so Americans can find affordable coverage. The President mentioned that the other night. It is in almost all the Republican bills. In other words, that is just a marketplace, a shopping center where you can go look for a variety of programs.

No. 6, we could enact meaningful insurance market reforms, meaning you are guaranteed you can get a policy and that if you have a preexisting condition, you can get affordable coverage. If we did this, this would probably raise the cost of insurance for some Americans. It would mean that every American would either have to be automatically enrolled or have to be enrolled. But a lot of Americans are getting tired of paying an extra $1,000 on their health insurance just so you do not have to buy any until you are on the way to the emergency room. So maybe we can do that as well.

Those are just six steps. But six steps of that size in the right direction are a good way to get where we want to go. Then, if we can pass those, maybe we can pass six more.

Or take clean energy. What do we have facing us out of the House of Representatives? A massive contraption, spending hundreds of billions of dollars a year, causing us to lose millions of jobs under an economy-wide cap-and-trade climate bill.

That climate bill that is proposed by the House would raise the electric bill for every American and raise the price of your fuel at the gasoline tank. It is a high-cost energy and climate change bill. Well, instead of a high-cost energy and climate change bill, how about taking a few steps in the right direction toward a low-cost one?

One. What about building 100 new nuclear plants in 20 years? That would double the amount of nuclear power we produce. Nuclear power is 70 percent of our carbon-free electricity. Is not carbon-free electricity supposed to be our goal? Did we not invent nuclear power in the Atoms for Peace Program? Is not the rest of the world now way ahead of us? And have not our Navy submarines operated safely since the 1950s and effectively with nuclear power and does not Dr. Chu, the Energy Secretary for this administration, a Nobel Prize winner, say they operate safely in America and that we can safely store the waste for the next 40 or 60 years while we decided how to reprocess it so it does not produce plutonium? The answer to all that is yes. So why not build 100 nuclear plants in 20 years? We have done it before, we can do it again.

Two. We can make half the cars and trucks plug-in electric cars and trucks in 20 years. I think we can agree on that on both sides of the aisle. We can do that without building any new power plants because we have so much unused electricity at night; if we plug in at night at a cheap rate, we can fuel our cars and reduce our imported foreign oil, keep our fuel prices low, use less gas, clean the air, and deal with climate change all at once.

Three. Offshore exploration for natural gas and oil. We need plenty of natural gas if we want our manufacturing companies to stay here with their jobs. We need plenty of natural gas. Every new big power plant built in the last 20 years has been a natural gas plant because it has less carbon than coal. We do not want to be importing natural gas in the same way we import oil. So let's do that.

Four. Then double clean energy research and development. Instead of subsidizing entrepreneurs, let's have a mini Manhattan Project for the most promising efforts to make solar costs competitive, to make possible the recapture of carbon from existing coal plants, to have better electric batteries, to have advanced biofuels from crops we do not eat.

So there are four steps in the right direction on clean energy which would actually lower our prices, instead of a 1,000-page bill, which would begin to collect hundreds of billions of dollars a year and put much of it in a slush fund that Congress would spend and raise your taxes, have all sorts of unforeseen consequences, send manufacturing jobs fleeing overseas; that would be what we should not do.

Immigration. I mentioned immigration before and how the best Members of this body were trying hard on immigration, and it fell of its own weight. I do not think we can pass a comprehensive immigration bill. But I think we can take several steps in the right direction, such as a secure work card, a tamper-proof worker ID card, to make sure workers are legal.

Senator SCHUMER has talked about that. I join him in talking about it. Most of the people who are illegally here are here to work. If they have to prove they are legally here, that will dry up the number of people illegally here and then we can deal with that.

Second, we could achieve full operational control of our borders. President Bush and the Congress made a lot of progress on that, not always recognized, but we need to finish it. And third, help legal American immigrants and new Americans learn English and learn civics and learn American history and assimilate into our society and learn what it means to be an American.

We can take the first steps on debt and fiscal responsibility, instead of more bailouts and doubling our debt, which is the route we are on. We can end government ownership of car companies, we can have a bipartisan commission to control spending. We call that the Gregg-Conrad bill because it means the commission would decide how to control spending, recommend it to us, and we would vote up or down, or a similar BRAC-like Commission to do the same thing. There are other steps we can take to reduce the debt. We might not be able to reduce it all in 1 day or all in one bill. But a few steps in the right direction to reduce the debt are a good way to get where we want to go.

The same on taxes. Instead of a complicated Tax Code that penalizes working families, we probably would fail if we came in with a comprehensive proposal to change the Tax Code. In fact, President Bush asked two respected former Members of the Senate, John Breaux and Connie Mack, and others to recommend a plan to us. They recommended a pretty good plan, and it got lost in the dark. Nobody ever heard another word of it, probably because it was a comprehensive plan.

Why do we not take a few steps in the right direction, such as an optional one-page flat tax, such as doubling the child tax credit to make it easier for parents to be better parents, such as ending the death tax on families with assets of less than $5 million?

And then coming up soon: financial regulatory reform. We had a bipartisan breakfast this morning on this subject. Fifteen Senators attended, listened to Senator DODD, a Democrat, and to Senator SHELBY, a Republican, talk about financial regulatory reform. After the near collapse of the economy a year ago, we all know we need that. We would be best off doing it in a bipartisan way. But, again, rather than come up with a 1,000- or a 2,000-page bill on financial regulatory reform, maybe we can take a few steps in the right direction.

Bipartisanship helps, but it is not, as some might say, an opportunity to sing ''Kumbaya.'' The Senate is a place for differences of opinion vigorously expressed. If we do not have those, we would not be here. The real value of bipartisanship is a better bill and a bill in which the people who elected us will have confidence.

Such bipartisanship is absolutely essential to any comprehensive bill and even to a few steps. We had it on the Energy bill of 2005, which got 74 votes. We had it on the America Competes Act, an early version of which got 70 cosponsors. The Gang of 14 had it when we were dealing with Supreme Court nominees. On the controversial TARP vote, we had bipartisan support with 74 votes.

How did we get it? We worked in the open with no secrets, everyone gets credit. I am afraid that even when we have that spirit, the problems we have to tackle are so large we need to begin to solve them in pieces. These are problems we must solve. But we are not a

debating society. In the end, we need to get a result. I have concluded that the best way to get a result on health care, on immigration, on other major issues facing our country is to put aside the 1,000-page bills, and re-earn the trust of the American people by working step by step to begin to solve the challenges facing our country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized.

HONORING NORMAN BORLAUG

Mr. BOND. Mr. President, today is an opportunity to honor an unassuming and too often unsung hero, a humanitarian credited with feeding 1 billion people and saving the lives of hundreds of millions of people throughout the world.

There are few who have walked the Earth who have had the impact Norman Borlaug had; not only in his own country but in the areas of the Earth he referred to as the ''forgotten world.''

As an Iowa farm boy, Dr. Borlaug recognized there are no miracles in agricultural production, there is science. Norman Borlaug is the father of the green revolution. He warned that fearmongering by environmental extremists against pesticides, fertilizers, and genetically improved foods would again put millions at risk of starvation while damaging the very biodiversity those extremists claimed to protect.

In fact, Dr. Borlaug's green movement does not provoke a war of man versus plant, it strengthens that relationship by using science to supplement the Earth's natural resources and provide a stable food source for a stronger and healthier world.

Biotechnology has breathtaking possibilities for improving human health, the environment, and enhancing agricultural production around the world. Already, hundreds of millions of people worldwide have been helped by biotechnology drugs and vaccines. There are many more drugs and vaccines currently being tested which will eventually help us wipe out other diseases as well.

For thousands of years, farmers have fought countless pests and diseases that have destroyed crops and limited production. Biotechnology is bringing hope to those in the developing world by providing crops that are more tolerant of drought and more resistant to insects and weeds and more nutritious.

Biotechnology is also increasing the nutritional value of foods produced by increasing the vitamin and mineral content of crops grown and reducing fat.

Bt, Bacillus thuringiensis, is a natural insecticide in the soil. It is being transplanted into corn, potatoes, cotton, and rice, allowing farmers to produce more food with far fewer chemicals.

In the United States, use of transgenic seeds has reduced pesticide application on our fields by tens of millions of pounds annually. Dr. Borlaug's work focused on the principle that wealthy nations have many problems, hungry nations have only one. He stated that: ''Without food, many can live at most but a few weak; without it, all other components of social justice are meaningless.''

Today, in the United States and in this Congress, we have the luxury of being concerned with so many other issues because our bellies are full. In an excerpt from Dr. Borlaug's epilogue from his biography, ''The Mild Mannered Maverick Who Fed a Billion People,'' he underscored that ''Helping struggling subsistence farmers produce a food surplus is the way to rid the world of much poverty and misery.''

Dr. Borlaug's work will be remembered as the catalyst in solving world hunger and we, as world citizens, are forever indebted to his humanitarianism and a reminder of what science can do and why it should be defended and promoted.

Today, let's all give thanks for the life and honor the memory of one of the foremost humanitarians of our age, Dr. Norman Borlaug. His passing earlier this week is a cause for the celebration of his life and a dedication to continuing his work as the best tribute we can provide to this truly great humanitarian.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BURRIS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MURRAY). Without objection, it is so ordered.

Mr. BURRIS. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. BURRIS. Madam President, we have heard a great deal about health care reform over the past few months. It is an issue that excites passion in many people, from the White House to Wall Street, from the Halls of Congress to the streets of Middle America. Last week the President called this Congress to action. He drew a line in the sand: We must improve the quality of health care in America and reduce cost, we must stop insurance companies from dropping the coverage of those who need it most, and we must make sure every single American can get quality, affordable care. We can all agree on these simple goals, but there is wide disagreement about how to get there.

I recognize this issue may be easier for me than it is for many of my colleagues. I will not be running for reelection next year, as many in this Chamber will. Because of this, I am free to focus my attention on policy rather than politics. I don't have to worry about political concerns. I don't have to think about what the special interests will say or what campaign donors will think about my latest vote or statement on the Senate floor. When I evaluate an idea, I only have to ask one question: What does this mean for the American people?

I believe health care reform is too important to be consumed by political concerns. I ask my colleagues to take a moment and ask the same question. As we look at health care reform, what would a public option mean to the American people? The answer is clear. A public option would provide stability and security because it is easily portable. A public option will introduce accountability, choice, and competition to the national health insurance market. It will provide a safety net for those who cannot afford private insurance. It will not be a government takeover of health care. Let me repeat that: It will not be a government takeover of health care. No other proposal would be as effective; no other plan can accomplish our goals.

I ask my colleagues to separate politics from policy. Let's take a look at the facts. Critics have said a public plan will cost too much. To back up this claim, they cite studies performed by the same corporate insurance giants that posted record profits in a time of hardship for many Americans. These companies can increase profits by charging higher premiums and denying coverage to the sick. They have an interest in trying to prevent the kind of reform that will benefit American families. That is why their numbers make the public option look bad.

But the nonpartisan Congressional Budget Office conducted a study that tells a very different story. Rather than costing us money, the CBO estimates that a health care insurance option will save taxpayers $150 billion over the next 10 years.

I believe we should not compromise on the public option because it will be the key provision that can provide choice and cut costs. I believe the American people deserve $150 billion in savings. Apparently, some of my Republican colleagues disagree because they continue to oppose a public option. That is bad policy, and it is pad politics.

Critics have suggested we include a ''trigger'' mechanism in the health care bill. This would allow a public plan to compete with private companies only if other reforms failed to bring costs under control. This sounds like a reasonable proposal, but we have already seen the mechanism at work.

In the early 1990s, when President Clinton and a Democratic Congress tried to pass health care reform, insurance companies brought costs under control. Health care costs grew by only $38 billion every year that Congress debated reform. Insurance corporations

must have been afraid that reform would hurt their profits, so they self-regulated, keeping costs under control until the threat of reform had passed. Then when Republicans claimed the majority and health care reform was dropped, costs began to skyrocket. Between 1996 and 2007, the cost of health care increased by about $102 billion every single year.

These numbers are clear. Fourteen years ago, we saw exactly what a trigger provision would look like. It simply doesn't work. What we need is a public option, plain and simple. It is time to abandon half measures. It is time to abandon empty political gestures. The evidence is clear we must make a public option a central component of the health care reform legislation. It will compete with private insurers, resulting in better coverage for everyone. It will improve health care outcomes and allow Americans to keep their current doctor. It will provide stability and security, especially if someone loses their job and needs to buy their own coverage. It will save money and reduce the burden on American businesses and families. It will not lead to a government takeover of the health care industry, as some critics have claimed. These claims have no basis in fact, and we have heard them before.

Allow me to quote a Republican Senator on the floor of this Chamber who said if a health care reform bill is enacted, ''it will be the beginning of the end of private hospitals and medical insurance for individuals over 65.'' That is a dire prediction. These words were spoken by Senator Carl T. Curtis of Nebraska. But he wasn't talking about the current health care bill. Senator Curtis spoke these words more than 40 years ago in opposition to the Medicare law that established one of the most successful programs in American history.

A public option would not destroy private insurance. It will merely help the American people hold them accountable. As President Obama reminded us in his recent address, there are many thriving private universities in this country, even though they compete directly with public universities.

Over the weekend, I was speaking with a friend of mine who is a lawyer. He runs his own small practice, and he is proud of it. The subject of health care reform came up, and he told me he was worried. Costs went up so much, so fast that he could no longer afford to provide health care for all of his employees. He had no choice but to cut benefits or drop coverage for some of the people who worked for him.

Sadly, my friend is not alone. Thousands of American small businesses are face to face with the same tough choices. But it doesn't have to be this way. I told my friend about the public option. I explained how it would compete with private companies and the insurance industry, driving prices down, which will allow him to shop around and find the right plan for an affordable price. He loved the idea. He told me the public option would save money and allow him to commit to the people who worked for him.

I am convinced that a public option is the best and most effective way to address the health care crisis in America today, and we can make it happen. The majority of Senate Democrats has said they would consider voting for such a measure. Only one has come out against it. So let's seize the chance to enact reform. Let's give the American people the health care choices they deserve. After all, if the public option is good enough for Members of Congress, it should be good enough for the American people. Let's extend a high-quality congressional health care plan to everyone. Let's pass a public option that will reduce costs and increase accountability. That is good policy, and it just so happens it is also good politics.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. GILLIBRAND). Morning business is closed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3288, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, again, we are on the floor of the Senate today considering the transportation-housing appropriations bill. This is a major appropriations bill with funding for States across the country. I have been talking with a number of Senators who have amendments they would like to offer. Again, this is now the fourth day we have been on the Senate floor. We started on Thursday, we were here Friday, and we were here yesterday. We are here again today. The majority leader would like us to finish this bill tomorrow. We have other appropriations bills that need to be done and conferences to be concluded in order to meet important deadlines for this fiscal year.

Again, I want all Members to know we need them to offer their amendments, if they intend to, so we can wrap up this bill by tomorrow. I expect a few Senators will be here shortly to offer amendments. If other Senators are going to offer amendments, if they could please let us know so we could get them up in order and get votes scheduled so we could move to conclusion on this important bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2375

Mr. MCCAIN. Madam President, I call up amendment No. 2375 and ask that it be made pending.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 2375.

Mr. MCCAIN. 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 provide that all amounts in the bill provided for congressional earmarks shall be made available for NextGen and NextGen programs)

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act, amounts provided in this Act for a congressionally directed spending item shall be made available to the Department of Transportation for NextGen and NextGen programs.

(b) In this section, the term ''congressionally directed spending item'' shall have the same meaning given such term in rule XLIV of the Standing Rules of the Senate.

Mr. MCCAIN. Madam President, this amendment would take $1.7 billion in earmarks and porkbarrel projects in this bill, 589 congressionally directed spending projects known by most Americans as earmarks, and instead redirect that money toward air traffic control modernization. Modernizing our outdated air traffic control system will positively impact all Americans, not just a favored few. It would decrease airport delays, improve the flow of commerce, and advance our Nation's air quality by reducing aircraft carbon emissions, unlike earmarks that only affect a small segment of our Nation's population and generally those Americans who happen to live in a State represented by a Senator who is a member of the Appropriations Committee.

For example, the distinguished manager of the bill had secured more earmarks than any other Member—50 earmarks—including $2 million for a bike trail in Spokane—a bike trail. Right now, with the American people hurting all over America, we are going to spend an additional $2 million of their money for a bike trail, and $750,000 for a Freight Transportation Policy Institute. Madam President, $750,000 of my taxpayers' dollars is going to be spent in the State of Washington for a Freight Transportation Policy Institute.

Other earmarks in this bill include $500,000 for construction of a beach park promenade in Pascagoula, MS. According to Citizens Against Government Waste—an organization that has done incredible work on behalf of the taxpayers of America for many years—

The population of Pascagoula in 2008 was 23,609; if each resident of the town paid $21.18 toward the beach park promenade, federal taxpayers, most of whom are unlikely ever to visit, would be off the hook.

That is the point. Most Americans will never benefit from these earmark projects, except for those who happen to ride bikes in Spokane, WA, or walk the beach of Pascagoula, MS.

Alternatively, all Americans are impacted daily by our Nation's air traffic control system. Every day Americans sit on a runway and miss meetings, children's soccer games, family dinners, and other important events due to air traffic control delays that could have been avoided if our Nation had a modernized air traffic control system.

Thousands of goods are delayed for delivery each day due to air traffic delays, which results in more than $40 billion of costs each year that are passed on to consumers, according to the Joint Economic Committee. The Government Accountability Office estimates that one in every four flights is delayed. In 2007, the aviation industry recorded the second worst year for delays, with 27 percent of all flights that year being delayed. When you look at places such as the Eastern corridor, it is far worse. Although air traffic overall was down in 2008, due in part to economic factors that led airlines to reduce service, there was no significant reduction in traffic at the most congested airports, such as those in the New York and New Jersey area. Congestion and delays at key airports cascade across the entire system. Moreover, according to the FAA, even if traffic is reduced, congestion at these key airports will not be significantly reduced without implementing a modernized air traffic control system.

The airlines have called our air traffic control system ''an outdated World War II radar'' system. The FAA's Next Generation Air Transportation System, NextGen, will transform the current ground-based radar air traffic control system to one that uses precision satellites; digital, networked communications; and an integrated weather system. Moving from a ground-based to a satellite-based system will enable more flights to occupy the same airspace, meaning the ontime performance improvements would be a reality with triple the aircraft capacity, according to the airlines.

However, the administration and Congress have not provided adequate funding toward air traffic control modernization and instead continue to fund billions of dollars of earmarks. The FAA estimates it will cost up to $42 billion to implement a modern air traffic control system. Congress only appropriated $188 million for air traffic control modernization in 2008 and $638 million in 2009. The bill before the Senate today only dedicates $358 million toward air traffic control modernization, but it dedicates $1.7 billion toward earmarks. Get that: $358 million toward air traffic control modernization, which will benefit all Americans; $1.7 billion in earmarks.

Instead of providing Americans with something they want, which is ontime airline departures and arrivals, Congress spent close to $1 trillion of taxpayers' hard-earned money on a stimulus bill that provided $500,000 to build a skate park in Rhode Island, $14 million for construction of an airport in an Alaskan town with only 167 residents that is 10 miles away from an airport, and millions to New York welfare recipients for the purchase of cell phones. Congress also spent close to $3 billion of Americans' hard-earned tax dollars on a Cash for Clunkers Program.

At some point, at some point—and it is beginning out there, my friends. I tell my colleagues, it is beginning. It is beginning with the tea parties; it is beginning with marches on Washington; it is beginning with the demonstrations and rallies all over America. It is out there. They are sick and tired of the corruption that exists in our Nation's Capital.

I noticed the other day there was another individual who was caught up in the Abramoff scandal going on trial. That is now 22 people who have either pled guilty or been found guilty over the Abramoff scandal on which I am happy to say the Senator from North Dakota, Mr. DORGAN, and I worked. And guess what the scandal was all about. It was about earmarks. It was about porkbarrel projects. That is what that Abramoff scandal was about. That is why Duke Cunningham resides in Federal prison. That is why there are people under investigation, and there will be more indictments.

The American people are sick and tired of it. They are sick and tired of it. So we have to stop it and at least spend money on worthy projects that will impact all Americans.

Earlier this year, the President stated:

[E]armarks have been used as a vehicle for waste, and fraud, and abuse. Projects have been inserted at the 11th hour, without review, and sometimes without merit, in order to satisfy the political or personal agendas of a given legislator, rather than the public interest. There are times where earmarks may be good on their own, but in the context of a tight budget might not be our highest priority.

That is what the President of the United States says. Well, if the President of the United States is serious, he will veto this bill. He will veto the $1.7 billion in earmarks and porkbarrel projects that are in it. And he is right; earmarks have been used as a vehicle for waste.

In 2001, the Senate passed the fiscal year 2002 Transportation appropriations bill conference report that included an earmark for the Odyssey Maritime Discovery Center. That Discovery Center happened to be in Seattle, WA. I have a picture of it in the Chamber. The Discovery Center opened in 1998 but has seen decreased attendance year after year despite continued Federal earmarks.

As the Seattle Post-Intelligencer wrote in 2003:

Container ships and fishing nets don't scream ''sex appeal''. . . .

The Discovery Center procured $250,000 from an earmark sponsored by the Senator from Washington in the fiscal year 1998 Commerce-Justice-State appropriations bill, $3 million in the fiscal year 2002 Transportation appropriations bill, and $475,000 in the fiscal year 2006 Commerce-Justice-State appropriations bill.

As a result of that earmark, the museum put out a press release. Madam President, I ask unanimous consent that press release be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Business Wire, Dec. 4, 2001]

ODYSSEY EXPRESSES APPRECIATION TO SENATOR MURRAY FOR SECURING $3 MILLION FOR NEW TRANSPORTATION EDUCATIONAL INITIATIVES AND PROGRAMMING

Funding will address the development of new educational initiatives, programs and interactive exhibits.

Michael Bittner, Ph.D., Executive Director of the Odyssey Maritime Discovery Center, today expressed appreciation to U.S. Senator Patty Murray (D–Wash.), for securing $3 million for new transportation educational initiatives, programs and exhibits for Odyssey.

''The Puget Sound region handles the second largest amount of shipping container traffic in North America, demonstrating that transportation is not only about laying asphalt. Senator Murray's unwavering commitment to educating the public about the need and value of sea transportation is integral to the Washington State economy maintaining its competitive edge in today's global marketplace. That is what Odyssey is about,'' said Bittner.

''Washington State is the most transportation and trade dependant state in the nation. Odyssey is in a unique position to educate our public and our children about the need to enhance our transportation infrastructure so this region can maintain and expand its status as the nation's leading gateway to the Pacific Rim,'' said Stanley H. Barer, Odyssey chairman and local transportation executive.

''Odyssey's exhibits and teaching materials on how inter-modal transportation works domestically and internationally go to the heart of these issues. Our annual job fair, which is attended by high school students throughout the State exposes our children to important and well-paying jobs in our transportation sector. Senator Murray has exceedingly well-served transportation and particularly this region through this appropriation. I congratulate her and thank her,'' said Barer.

Bittner said the federal funding will address the development of new educational initiatives, programs and interactive exhibits that educate all ages, particularly P–12 school aged children in King and neighboring counties and throughout Washington State, about the role of maritime in all daily life as well as in the regional and global economies.

ABOUT ODYSSEY, THE MARITIME DISCOVERY CENTER (WWW.ODY.ORG)

Odyssey is the nation's first discovery center to celebrate the contemporary links to the Puget Sound and the North Pacific—including shipping, trade, transportation, commercial fishing, recreation, and marine protection. Odyssey's vision is to be recognized worldwide as the Portal to the Pacific Experience—a one-stop, must see passageway to our waterfront; a high tech, high touch source of discovery that educates and enriches understanding of the maritime experience. Trade, transportation, fisheries, recreation, and the marine environment are central to the economic and social well being of our Pacific Northwest and global communities. Through Odyssey's innovative educational initiatives, programs and exhibits, people of all ages can discover the influence of trade, transportation and related maritime activities on our daily lives and on the regional and global economies. Located on Seattle's majestic waterfront at the Bell Street Pier 66, Odyssey features 20,000 square feet of interactive exhibits and meeting space.

Mr. MCCAIN. The press release states:

Michael Bittner, Executive Director of the Odyssey Maritime Discovery Center, today expressed appreciation to U.S. Senator Patty Murray for securing $3 million for new transportation educational initiatives, programs and exhibits for Odyssey. ''Washington State is the most transportation and trade dependent state in the nation. Odyssey is in a unique position to educate our public and our children about the need to enhance our transportation infrastructure so this region can maintain and expand its status as the nation's leading gateway to the Pacific Rim. . . . Senator Murray has exceedingly well-served transportation and particularly this region through this appropriation. I congratulate her and thank her.''

In 1997, while seeking an earmark of $250,000 for the center, Senator MURRAY said:

The Center will establish an educational link between the everyday maritime, fishing, trade, and environmental activities that occur in the waters of Puget Sound and Alaska, and the lessons students learn in the classroom. Through high-tech and interactive exhibits, over 300,000 children and adults per year will discover that what happens in our waters, on our coast lines, at our ports affects our State's and Nation's economic livelihood.

Madam President, 300,000 people—children and adults—do not show up every year; 100,000 people do not show up every year; 50,000 people do not show up every year. Madam President, 30,000 people showed up in most years.

In January 2008, the Seattle Times reported:

The Port of Seattle wants to stop subsidizing the money-losing Odyssey Maritime Discovery Center Museum, which owes the Port $1.5 million in back rent and has received millions more in taxpayer assistance.

The article also stated:

Odyssey, which bills itself as the nation's only contemporary interactive maritime museum, has never hit its attendance targets. At its inception, the facility on Seattle's Pier 66 hoped to attract 300,000 visitors a year to pay its rent and operating costs. Instead, it has attracted fewer than 30,000 visitors most years. According to Odyssey's most recent available tax form, the museum received revenues of $262,000 in 2005 and had expenses of $1.6 million.

In fact, according to a February 2002 article in the Seattle Times, ''the Port authority agreed to help Odyssey by taking 30,000 free tickets a year in lieu of $21,000 in monthly payments'' for rent.

However, the article continued:

Fewer than 10,000 of the visitors used the free tickets from the port.

The Discovery Center was not even able to attract visitors when the tickets were free. When the Port Commission terminated the museum's lease, a port spokeswoman stated:

It is finally acknowledging this museum isn't ever going to succeed as currently structured.

So what did Americans' hard-earned dollars get for the $3 million earmark for ''educational initiatives, programs, and exhibits''? According to a 2003 article in the Seattle Post-Intelligencer:

Spinner's Riddle, an informational scavenger hunt . . . At each station [participants] had to answer exhibit-based questions such as, ''In the Quiet Bay, what kind of worm is listed?'' The answers helped solve the riddle: ''What time do sharks like to go to the dentist?''

Also available due to taxpayer dollars:

A rack of orange survival suits kids can try on, a simulator that lets you ''steer'' an 850-foot-long virtual container ship. . . .

Et cetera, et cetera, et cetera.

So despite $3 million of taxpayer money spent on these interactive exhibits, attendance continued to fall, and this past year the museum closed its doors except to host private parties such as in December when it hosted a fashion show. The invitation read:

This December, treat yourself to the Best of the Best . . . the Mother of all Fashion Events. . . .

It went on to say that the museum was ''re-transformed with a massive stage and runway lighting and concert-quality sound you will feel the Glitz and Glamour of a Los Angeles Red Carpet Event.''

However, that was not the only earmark in the fiscal year 2002 appropriations bill that failed to perform.

Let me point out, at the time—at the time—I took to the floor and objected strenuously to this $3 million earmark. I objected strenuously to it on the grounds—I did not know it would fail—I am not surprised it would fail, but I was not surprised. Why in the world, why in the world—should my constituents in Arizona give $3 million to a museum that is going to fail?

It is supposed to be for much needed transportation projects. Drive around America and see whether we need to spend transportation money on a failed museum, or do we want to spend it on the things we need?

So that was not the only earmark in the fiscal year 2002 appropriations bill that failed to perform. Also tucked in—and I objected to it at the time—was ''$4.5 million for a boat that nobody wanted,'' according to the headline of an October 14, 2007, article in the Seattle Times. The article continued:

The Navy paid $4.5 million to build the boat. But months before the hull ever touched the water, the Navy gave the boat to the University of Washington.

If we want to give money directly to the University of Washington, my friends, let's give it to the University of Washington. But this was supposed to be for the U.S. Navy. And why did the Navy do that? Because the Navy strongly stated they did not want the boat to start with. Yet the Senator from Washington, in her wisdom, decided that the Navy needed that boat. It did not need the boat.

But months before the hull ever touched the water, the Navy gave the boat to the University of Washington. The school never found a use for it either. Why would the Navy waste taxpayer dollars on a boat nobody wanted?

Earmarks were inserted into different bills to force the Navy and the Coast Guard to buy boats they didn't ask for—$17.65 million in all, $17.65 million in all for two boats that neither the Navy nor the Coast Guard wanted, and now one belongs to the University of Washington and the other belongs to a sheriff.

In fact, some of the boats were never even used, period. One boat was given to the University of Washington, which sold it to the Federal Government's National Oceanic and Atmospheric Association's National Marine Sanctuaries Program for a regional sanctuaries research program doing research all along the west coast. However, NOAA e-mailed my staff today and stated that this boat has been out of service since January, since there is no funding available to support a project on this boat.

According to a story that aired on PBS's ''Frontline,'' one of the Coast Guard boats was sold to the Alameda County Sheriff's Department and, according to a sheriff's deputy, ''We paid $1 for this boat, and I don't think we actually paid a dollar, but it was turned over to us.'' This is a $4.5 million boat that the Navy and Coast Guard did not want. These boats were constructed—$4.5 million for each—and neither one was ever used by the Coast Guard or the U.S. Navy.

These are just two examples of wasted taxpayer money spent on earmarks that were not necessary and not beneficial. Instead, Congress and the administration should refocus their efforts and priorities toward improving all Americans' lives by modernizing our air traffic control system.

I ask my colleagues to support the amendment to take the $1.7 billion in earmarked funding toward the implementation of air traffic control modernization that will improve the lives of all Americans.

There are a lot more stories out there of these earmarks and porkbarrel projects that were inserted, such as the museum and these boats the Navy and Coast Guard never wanted, and we wasted $17.5 million.

The American people are rising. They did it over the weekend here in our Nation's Capital when tens of thousands

of them said: No more mortgaging our children's futures and no more of this earmarking, porkbarrel spending, which has spread corruption.

I ask my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Madam President, I thank my colleague from Arizona for bringing this amendment to the floor. I was hoping to have the chance to discuss some points with him. But first, let me share some clarifications with my colleagues.

If I remember correctly, cash for clunkers was an executive branch decision, using money they had at their discretion. When you talk about money at discretion, huge amounts of money are going to bureaucrats in the administration, and when you look at some of the spending, I think many of us have wondered why it is being spent in that way. Regrettably, I think Congress has given the previous administration and this administration far too much money without any congressional guidelines. If one should look at article I, sections 8 and 9 of the Constitution, you would see that we in the Congress have a responsibility to make sure taxpayer money is spent in ways that are most productive. It is our responsibility. When we make a mistake, we can be held responsible. But who has ever held a bureaucrat responsible for wasting billions and billions of dollars? If my colleague from Arizona doesn't like cash for clunkers, maybe he ought to go after the people in the administration who made that decision.

He mentions a couple of instances of abuse of the earmark process. As he pointed out, those were punished criminally with criminal sanctions against the people who committed criminal activities. That is the way it should be.

We need to be able to have open and free discussions on the floor about how money is spent. That is why I welcome this opportunity to discuss the points raised by my colleague from Arizona.

He has rightfully pointed out the importance of NextGen, the new aviation traffic safety scheme and administration for the FAA. Well, we have been supporting that—the chair, Senator MURRAY, and I—for years. We put as much money into that program as can reasonably be spent this year. That is why it is such a shock to see that he would propose to throw a billion-plus dollars more into that program when it cannot be properly spent. It will then be subject to use as the administration, in its unfettered discretion, wants to use it.

We believe we must continue to monitor the NextGen progress, and when we have major programs like this, they require not only oversight by the administration but by the Congress. That is our job. We are proud to do it, and we will continue to do it. We will ask the tough questions that, apparently, too infrequently are asked by people in the executive branch. I assure you, we have been, we are, and we will continue to be supportive of all reasonable progress and all the work that can be done on NextGen.

Let's just take one small example of what the Senator's language would eliminate. The chair and I added money for flight safety officers—people who examine airlines to make sure that those who are flying are flying safely.

Everybody heard about it and everybody still remembers, if you think about it, last winter's tragic air crash in northern New York State. There were so many things wrong. It was unbelievable: the black marks on the pilot's record, the failure to have a properly trained and disciplined copilot. The list of mistakes was unbelievable.

I had the pleasure, as I stated earlier, of going to a civic club luncheon in my home State in Mexico, MO, and a regional official for the FAA was talking about those problems. My colleagues in the civic club were astounded, and they said: Aren't you supposed to be regulating that? Isn't the FAA supposed to be regulating that?

He said: Yes, we are, but the problem is that there are not enough FDSOs—safety officers—to inspect the airplanes.

So we added money for that because all of us who fly want to see NextGen work. We know we need it. But in the meantime, while they are doing everything they can to get NextGen working, we need to have flight safety officers now because almost everyone in this Chamber and a huge number of the people we serve back in our States depend upon the FAA to ensure flight safety.

Why do we want to have oversight of NextGen? Unfortunately, the FAA has a horrendous record of program management. In fact, the FAA's air traffic modernization effort has been on the GAO's high-risk list since 1995—high risk. Our Government Accountability Office says it is high risk. Fortunately, though, through strict budgetary controls and increased congressional oversight, this program graduated from the list in 2009.

This is not the time to give the FAA hundreds of millions, or billions, of dollars with no oversight or strings attached. NextGen is a complex effort to modernize the air traffic system. Like many big issues and challenges facing the government, simply providing bundles of funding—more than they can use—is not the answer. The FAA has literally wasted billions of taxpayer dollars on similar efforts in the past. I would like to hear my colleagues who object to congressional oversight explain what they are doing to ensure that those in the administration who handle these dollars do the job better.

Some billions of dollars have been wasted and some efforts, such as LORAN-C, did not even produce a usable product after millions and millions of taxpayer dollars were spent. Currently, 6 of the 18 major FAA modernization programs have experienced unacceptable cost growth and schedule delays. To reduce delays, increase safety, and reduce congestion, the FAA needs further oversight, not resources.

I ask my colleagues to join us in exercising, in those committees where there is jurisdiction, proper oversight of the FAA.

Madam President, I will have much more to say about the importance of congressional responsibility for the dollars we spend in this body. Far too much money now is being spent without congressional oversight. Later on, I will cite an example. When I asked a high-ranking administration official when we would have a chance to oversee a program spending billions and billions of dollars in the stimulus program, I was told: You gave us this money; it is none of your business; we are going to make those decisions. That is a recipe for disaster. We have to exercise our responsibility thoughtfully and take responsibility for what we do.

With that, I yield to the chairman.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, I thank the Senator from Missouri for explaining very clearly why this amendment should be defeated by this body.

Senator MCCAIN has come out and offered an amendment that would take away funding from every earmark in the bill and put it into the Federal Aviation Administration's NextGen program. That is our effort to modernize the air traffic control system—a very important effort. I will speak to that in a minute.

Let me speak to the earmarks. This is not a new debate. I have stood on this floor many times, as well as other Senators, to defend the right of every Senator here to identify priorities for their home States and to advocate for them. This bill includes earmarks because the Members of the Senate have gone home and identified needs in their communities and brought them to our committee, which we have put into consideration.

It is important to note that there was abuse in the earmark system. We have now reduced earmark spending in this bill to 50 percent of what we had in 2006. In fact, the earmark spending in the bill is less than 1 percent of the total funding. But that funding is as a result of Senators who have gone home, worked with their constituents, identified projects, brought them to the committee, and we scrutinized them. Very few made it into the final bill because of the high caps we have. But they were brought to us by Senators with legitimate needs in their home States.

My concern over this amendment isn't just limited to the investments Senators have asked us to make in their States. I am greatly concerned,

as the Senator from Missouri pointed out, about what this amendment would actually do to the FAA's NextGen program, and I am a strong supporter of that. There is a need to modernize our air traffic control system. For that very reason, this bill now before us provides $865 million for programs that are essential to the NextGen effort. But in order for NextGen to succeed, the FAA has to do more than just put money into it. It needs, as my colleague from Missouri said, strong oversight. If we hand that agency a blank check now for well over a billion dollars, which this amendment asks for, that is not the right way for this body to do oversight or ensure the responsible use of the Federal dollars over which we have oversight.

The FAA has had a long history of budget overruns and schedule increases in its capital programs. Our subcommittee has held numerous hearings on the FAA's need to manage its capital programs more responsibly.

We have heard testimony from the Inspector General of the Department of Transportation on this very issue, and until only recently, the Government Accountability Office has identified this NextGen program as a high-risk management area.

I encourage our colleagues to oppose this amendment. It is not the responsible way to fund the FAA or the Department of Transportation.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 2371

Mr. COBURN. Madam President, I ask unanimous consent that the pending amendment be set aside and amendment No. 2371 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 2371.

Mr. COBURN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To remove an unnecessary and burdensome mandate on the States, by allowing them to opt out of a provision that requires States to spend 10 percent of their surface transportation funds on enhancement projects such as road-kill reduction and highway beautification)

At the appropriate place, insert the following:

SEC. 1_____. None of the funds made available by this Act may be used to implement section 133(d)(2) of title 23, United States Code.

AMENDMENT NO. 2370

Mr. COBURN. Madam President, I ask unanimous consent that the pending amendment be set aside and amendment No. 2370 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 2370.

Mr. COBURN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To fully provide for the critical surface transportation needs of the United States by prohibiting funds from being used on lower-priority projects, such as roadkill reduction programs, transportation museums, scenic beautification projects, or bicycle paths, if the Highway Trust Fund does not contain amounts sufficient to cover unfunded highway authorizations)

At the appropriate place, insert the following:

SEC. _____. (a) None of the funds made available by this Act may be used for any purpose described in subsection (b) until the date on which the Secretary of Transportation certifies, based on the estimates made under section 9503(d)(1) of the Internal Revenue Code of 1986 of unfunded highway authorizations in relation to net highway receipts (as those terms are defined in that section) for the period of fiscal years 2010 through 2013, that the Highway Trust Fund contains or will contain amounts sufficient to cover all such unfunded highway authorizations for those fiscal years.

(b) The purposes referred to in subsection (a) are—

(1) the reduction of vehicle-caused wildlife mortality or the maintenance of habitat connectivity;

(2) transportation museums;

(3) scenic beautification projects; and

(4) pedestrian or bicycle facility projects.

AMENDMENT NO. 2372

Mr. COBURN. Madam President, I ask unanimous consent that the pending amendment be set aside and amendment No. 2372 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 2372.

Mr. COBURN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To fully provide for the critical surface transportation needs of the United States by prohibiting funds from being used on lower-priority projects, such as transportation museums)

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used for a museum.

AMENDMENT NO. 2374

Mr. COBURN. Madam President, I ask unanimous consent that the pending amendment be set aside and that amendment No. 2374 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2374.

Mr. COBURN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To determine the total cost to taxpayers of Government ownership of residential homes)

At the appropriate place, insert the following:

SEC. ___. REPORT ON COST OF GOVERNMENT-OWNED RESIDENTIAL HOMES.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall prepare a report, and post such report on the public website of the Department of Housing and Urban Development (in this section referred to as the ''Department''), regarding the number of homes owned by the Department and the budget impact of acquiring, maintaining, and selling such homes.

(b) CONTENT.—The report required by this section shall include—

(1) the number of residential homes that the Department owned during the years 2004 and 2009;

(2) an itemized breakdown of the total annual financial impact, including losses and gains from selling homes and maintenance and acquisition of homes, of home ownership by the Department since 2004;

(3) a detailed explanation of the reasons for the ownership by the Department of the homes;

(4) a list of the 10 urban areas in which the Department owns the most homes and the rate of homelessness in each of those areas; and

(5) a list of the 10 States in which the Department owns the most homes and the rate of homelessness in each of those States.

AMENDMENT NO. 2377

Mr. COBURN. Madam President, I ask unanimous consent, as well, to call up amendment No. 2377.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2377.

Mr. COBURN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require public disclosure of certain reports)

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

Mr. COBURN. Madam President, I wish to spend a little bit of time talking about the problems before us in terms of transportation, and then I will go back to these amendments based on whatever the chairman wishes and however she wishes to handle the debate on these amendments.

What I think about is that right now our transportation trust fund is not growing at the rate at which our needs are growing. I do not think anybody—neither the chairman of the Appropriations Committee nor the committee that is responsible for the transportation authorization program—would disagree with that. I do not think anybody else would disagree that in a year when we are going to have a true, not an Enron accounting, but a true budget deficit of $1.8 trillion by the time you count the money we are going to steal from Social Security and other trust funds, that we are going to have $1.8 trillion we are going to borrow from our grandchildren, and at a time when we have, at a minimum, 130,000 bridges in disrepair in this country. And that is the Department of Transportation's own numbers. Out of 600,000-plus, 130,000 either have to have lesser loads or fewer number of vehicles going across them or do not meet the designs needed for the loads they are carrying or are crumbling and are not expected to collapse but are falling apart, that at this time we ought not to be spending our money on anything except roads and bridges.

The debate Senator MCCAIN put out here is just one way of getting at the problem. Inside the Transportation bill is a requirement that if a State gets money and they want to fix a bridge, 10 percent of the money to fix that bridge has to go to make things look nice around it. That is great if we are running a great surplus or we are not borrowing the money from our kids. But right now the fact that we mandated that obligated moneys to State highway and transportation departments, that they have to spend 10 percent of the money that is obligated on aesthetics makes no common sense. It does if we have an excess of funds. It is something to which we would all agree. But when we have the problems where we have 13,000 people a year dying because of the quality of the roads in this country—not quality of vehicles, not driver error, but the quality of roads—and we have this large number of bridges that are truly in the long run not safe, why would we be spending money on anything other than roads and bridges in a transportation project, as far as surface transportation?

I am not talking about trains and inner-city buses. I know we have to do that as well. But for the proportion that goes out, why would we not spend that money on the real needs that are out there?

Madam President, 13,000 lives is a lot of lives. Actually, it is one of those benchmarks on which you can measure Congress. We would rather have $5 billion worth of earmarks that make us look good at home than make sure that $5 billion goes toward saving somebody's life by repairing a road that needs to be fixed right now—right now—not next year, not 2 years from now, right now.

Why are we going to have these things that make us look good and may be a need but may not necessarily be a priority? How many of them are a priority over the fallen-down bridges in this country?

The families who lose members because of road quality in this country do not think those are priorities. They think fixing the roads and bridges are priorities. But you see, we have a disease in the Senate and in the Congress: We think we know better. We do not want to make the tough priorities that might not sell well in a particular area in our home State that would, in fact, solve some of the major problems with transportation in this country because we will not look as good. And yet we can spend money on taxiways for airports that have six flights a day and have very few people through it and subsidize every passenger to the tune of $130 when if they could drive an hour and find an airport, we would not have to spend any of that money on it.

Most of us drive an hour to get to the airport. But yet we do earmarks. We decide, the wisdom of us—it is pretty interesting. I heard the ranking member talk about oversight. There is not any significant oversight going on in this Congress. I almost laughed out loud. For every hearing we have, we ought to have 10 oversight hearings. We talk about we are going to say where the money goes, and then we don't follow where the money goes. We don't do our job of oversight.

The NextGen, I understand that is an important priority. I am not questioning that. But the point of Senator MCCAIN's amendment is not NextGen, it is earmarks. It is the fact that at least here is something we know is going to buy safety in aviation, whereas the rest of the earmarks are not. We have an earmarked museum in the bill. Tell me, at a time when we have 9.7 percent unemployment, we have a trust fund for transportation that is belly up, that we are stealing the money from our kids every 6 months to keep it viable rather than from the taxes of consumption of gasoline and diesel, tell me that is a priority right now when we have run a $1.8 trillion deficit.

The fact is we refuse—we refuse—to make the hard choices in Washington. We make choices for our political purposes. We make choices for the well endowed. We make choices for the well connected, for the well heeled, whether it is beach nourishment and the hundreds of millions of dollars that are made off that or it is a museum or a bike path or the restoration of a train station. Tell me where those are in terms of priorities of the 9.7 percent of Americans who do not have a job and are looking for one and the other 6 percent who are so discouraged they are not even looking anymore. Tell me why that is a priority. Senator MCCAIN's point is dead on.

There is a commonsense test, which is, would the average guy with the same amount of money fix the bridges and fix the highways or would he do the superfluous stuff, the enhancement stuff, the feel-good stuff if it were about his kids and his family? The average guy would not. But you see, we are not the average guy. We do not have to play by the rules because we know that the court of public opinion only comes after us once every 6 years, and if we can, in fact, enhance our ability to raise our campaign funds, if we can, in fact, look good to the well connected, then we are going to be able to find a way to say a message something different than what we actually did.

That is pretty cynical, but when we have 13,000 people dying on roads every year because of the quality of the roads—and those are not my numbers, those are NHTSA's numbers—wouldn't you think every dollar we have ought to fix the roads and fix the bridges and wait on the aesthetics until later? Wouldn't you think the common man with common sense would say, Let's do the most important thing first, that buys us the most safety and the best transportation effect, rather than make the politicians and their well-heeled buddies look good?

I understand why people are upset with the Congress. It is because we make decisions that do not have much connection with reality. And then after we do it and we don't do the oversight that is required, we blame it on an administration.

I thought the debate about whether we could trust the FAA—we can trust the FAA if we do the following things: make sure they will be before us every 2 or 3 weeks talking about the progress of what they are doing; making sure we are having the oversight hearings; making sure we are doing our job to make sure the bureaucracy with which we give the responsibility to carry out policy is, in fact, being held accountable and, if not, withdraw the funds through a special rescission package to make sure that since you are not acting responsibly, we are going to withdraw your money. The last time there was a true rescission in the Congress was 1995.

We talk a big game about what a good job we do in oversight and good judgment. What happens is staff members make the decision of what gets included and what does not get earmarked. Sometimes it is based on economic priorities and sometimes it is based on the economic priority of who is running for reelection.

The other problem we have is things are not very transparent here, in spite of our President's desire that they be that way. I have a couple of amendments that are going to make sure the public reports that are required in this bill are made available to the American people, not just to the committee staff; to make sure that HUD reports to Congress on homes they own and the cost to the taxpayers, not just to a committee of Congress.

AMENDMENT NO. 2371

I now call up amendment No. 2371 and ask that it be the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, I wish to talk about what this amendment does. This amendment forbids the mandatory spending of that 10 percent of money on things that are not going to make a difference when it comes to highway safety and bridge repair. And it says that Gary Ridley, the director of the department of transportation in Oklahoma, can take all of the money and make new bridges and new roads and repair bridges and does not have to worry about taking 10 percent of the money and spending it on aesthetics.

At another time, another place, maybe we would want to do that. But with our infrastructure crumbling, and with the trust fund not with enough money because of the economic shape in which we find ourselves, to continue to mandate that every transportation department in the country has to spend a full 10 percent of their money, not on what is important, but on something somebody may like, not on something that is about safety, but on what somebody may like and what may look good, to me does not connect with common sense.

I am probably a minority in that opinion in this building, but I am not in the minority in that opinion in this country. When times are good, we can afford to make such discretionary spending mandates on the States. When times are tough, when infrastructure is in poor shape, when the quality of our roads is taking people's lives every day, and when our bridges are falling down and chunks are falling off of them and injuring people severely, as happened in Tulsa 6 weeks ago on an interstate bridge, and falls through the windshield of a car and critically injures an individual who is driving down the interstate, it is time for us to use common sense on how we spend this money.

I would make one other point; that is, that this bill, compared to last year, in terms of real numbers—not in terms of the numbers that have been spun out there—is a 22-percent increase. If you go through all the appropriations bills we are bringing to the floor and what we have already passed, it is like there is no recession going on. There is absolutely no inflation. Yet we are growing government at 12 times the rate of inflation, and we are doing it on bill after bill after bill.

There is no apology anywhere from the Appropriations Committee that we are sorry we have to spend this increased amount of money, in spite of the fact we absolutely don't have it and that we can't winnow down and make our priorities sharper and better. No, what we do is we just bump the number.

In case you are interested, if you include contract authority, there is $75.8 billion. Even if you don't include contract authority, you have a 12-percent increase. In the HUD portion of the bill, we have a 10-percent increase. So it is not just transportation. We are increasing housing and urban development 10 percent. So there is no inflation; tax revenues are down. There is no question we have greater needs, but there is no force to say: How do we more efficiently put out the money? How do we hold those spending the money more accountable? How do we get greater value for the money we are spending? No. You know what we do? We take the credit card out of our pocket, and we put it in an ATM that says: Charge to our grandchildren and charge to our children. That is what we do. Then we come up here and we say: This is absolutely necessary.

The vast majority of families in this country today are making tough decisions—very tough decisions. They are either saying: I have a job or I am lucky to have a job or, boy, am I thankful. I don't want to end up without a job, so I think I will start prioritizing where I have to spend money. The people where one of the two workers in the family have lost a job are making those tough decisions every day: What is an absolute necessity and what isn't?

Actually, it is more than the average American. Almost every American is making those kinds of decisions today. But isn't it curious the Congress isn't? Isn't it curious we don't prioritize? Isn't it curious that it has been years—whether under Republican control or Democratic control—since we have had an appropriations bill that comes out and spends less money? Are all these agencies efficient? Could it be done in a better way to get better value with less money? Could we force savings in these branches of government?

Those questions aren't even being asked. There are no priority questions being asked. What we do is we say: Here is our 302(b) number; how are we going to spend the money, rather than seeing what is the need, how efficient is the bureaucracy utilizing that money under the policy proscriptions we give them, and what are we going to do about it? So we come out spending hundreds and hundreds and hundreds and hundreds of billions of dollars with millions of earmarks.

I heard mention about the earmarks. What the American people need to know about earmarks is this: It is not the earmark that is bad, it is the extortion that comes with the earmark. Because everybody here knows that if you have an earmark in an appropriations bill and you don't vote for the appropriations bill, the next time you want an earmark, guess what happens. They happen to remind you that: Oh, you had an earmark in the last one, but you didn't vote for the bill. So since you are not supporting our bill, we are probably not going to be as likely to include your earmark. What does that do? The problem with earmarks is it takes the focus off what we are doing collectively in the best interest of the country and makes the focus about the individual and the State.

There is nothing in this document—which is the U.S. Constitution—that gives us the right to think about our States. When you are sworn in here, they do not say: Mr. COBURN, Oklahoma, you will uphold the Constitution as long as it protects Oklahoma. It says: You will uphold the Constitution. Our Founders knew that any State couldn't be healthy unless we as a nation were healthy. Yet earmarks undermine that every time and force us back to parochialism—not Federalism but parochialism. So we take the money from individuals in the various States, and then, through our wisdom of all knowledge in Washington, we send it back so we look good, rather than leaving the money there in the first place and letting you decide how best to spend your own money. So we don't lessen spending. We always increase it.

We claim oversight—which we never do to the level that is required with a government as big as this—and then we complain that somebody wants to eliminate earmarks, and not because the individual earmark may not be a good thing—I can't think of many earmarks that probably aren't good things—but because the earmarks aren't necessarily a priority for the Nation as a whole. That is the difference in being and enhancing statesmanship versus politics. It is OK for Oklahoma to lose for a period of time if our country gets better. I have explained that to my State.

I have refused to do earmarks for my State. The reason is we are in a big pot of trouble right now as a nation—a large pot of trouble. If you watch the dollar index in the markets, what you see happening in the last 2 weeks is the value of your savings going down because the value of the dollar is declining rapidly. Everybody knows that the money we are borrowing today will only be able to be paid back through highly inflated dollars. So what you have worked for your entire life, what you have dreamed for your kids, we are undermining here a little bit in this very bill. It is just a little bit, but a whole bunch of little bits becomes a lot.

So here we go. We don't make the priorities, we don't make the hard choices, and we increase the spending a ridiculous amount for the time we find ourselves in, knowing a good portion of the spending is going to be borrowed

from our kids. We watch the dollar flounder, knowing that the amount you have put aside for your children in the future isn't going to be worth anything. It is a pretty sick, neurotic system we are operating under because it doesn't have enough sunshine on it, and that was the purpose for Senator MCCAIN's amendment. That is the purpose for this amendment, to have some transparency. Let's have some common sense.

Let's not force State transportation departments that need critical dollars for bridge repair and road repair to spend it on a bicycle path nobody is going to ride or a sound barrier that truly doesn't cut the sound. Let's spend it on roads and bridges. Let's not force them to make choices that are stupid. Let's trust people to do what is right.

There is another observation I would make, and then I will close. I was born in 1948, and I have seen a shift in our country in that 60-plus years. Our nature and our history used to be that we trusted American citizens. I am talking of the Federal Government. We assumed you would do the right thing. Unfortunately, today, so much of the assumption of the Federal Government—especially as it relates to the States—is on the basis that we know you are going to do the wrong thing, and we are here to catch you; that we know better, and we are going to tell you how to do it, when to do it, and where to do it.

That has come about as we have had Supreme Court rulings taking away the constraints our Founders said were necessary. It is called the enumerated powers of the Constitution. It is article I, section 8, if you want to look it up. If you read what Madison and Jefferson had to say about that, we have been totally violating the intent of what they said, what they meant, and what they knew we would say about what they meant for the last 30 years in this country. So we find ourselves in a position where we dominate with the power of dollars and taxation to the detriment of our freedom, to the detriment of common sense, and to the detriment of good will.

I am not sure how the chairman and ranking member will respond to this amendment, but for this time and this situation we find ourselves in, we ought to eliminate this mandatory 10 percent and let Oklahoma and Kansas and Texas and Kentucky and New York build bridges and highways, not build aesthetics with the money which we took from them and are now sending it back but sending it with all these restrictions on it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I wish to thank Senator COBURN for doing what we have been asking him and other Senators to do and that is to come to the floor and get their amendments offered.

I will be talking with the Senator from Oklahoma, over the next short while, to figure out the order in moving to his amendments for votes, as he has requested. We do have another amendment that had been offered by Senator MCCAIN, amendment No. 2375, which we would like to get a vote on before the caucus luncheons.

AMENDMENT NO. 2375

So I ask unanimous consent that amendment No. 2375 be made the pending business.

The PRESIDING OFFICER. Is there objection? Hearing no objection, it is so ordered.

Mrs. MURRAY. Madam President, we are currently working out with both sides to move to a vote fairly quickly, so I would advise Senators' offices to be ready for a vote shortly, and we will wait for that to occur here as soon as we can make that happen.

Mr. BOND. Madam President, I join with my colleague in thanking the Senator from Oklahoma for offering these amendments. We are looking at these amendments. I think they are good amendments, and I hope they can be accepted. We have some of our staff looking at the details of some of the amendments to see what impact they have. We have to determine whether there would be any untoward consequences from one of the amendments, which I think probably comes within the jurisdiction of the Environment and Public Works Committee, so I would invite them to come down and look at it.

But I thank the Senator from Oklahoma for offering his amendments and for bringing them up for discussion, and I join with my colleague from Washington, the chair of the subcommittee, in urging that we move forward with a vote. We have lots of work to do. We were on this on Thursday and Friday and Monday. Now it is Tuesday, and we have a short day, and then there is Wednesday and there is Thursday. This bill needs to be passed, so moving the amendments forward, getting votes on them, having the discussions is very important.

I thank the Chair, and I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I ask unanimous consent at 12:24 today the Senate proceed to vote in relation to the McCain amendment No. 2375, with 2 minutes prior to the vote divided and controlled in the usual form, and that no amendments be in order prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, how much time do I have?

The PRESIDING OFFICER. One minute.

Mr. MCCAIN. Madam President, the amendment would take $1.7 billion in this bill for the 589 congressionally directed spending projects, known by most Americans as earmarks, and redirect that money toward air traffic control modernization. Every day, Americans sit on a runway, miss meetings, children's soccer games, family dinners, and other important events due to air traffic delays that could have been avoided if our Nation had modernized the air traffic control system. The Government Accountability Office estimates that one in every four flights is delayed.

A major issue, though, here as important as modernization of the air traffic control system is this bill has 589 earmarked projects on it worth $1.7 billion when we are facing the highest deficits in the history of this country. Americans all over this country are rising and saying stop, stop this porkbarrel earmarking which breeds corruption in the Nation's Capitol.

I urge my colleagues to vote for the amendment.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, the bill before us contains 50 percent fewer earmarks than in 2006. Importantly, these are priorities of Senators who have brought them to us. They are less than 1 percent of the bill. Even more important, what the amendment before us does, and I am a strong supporter of NextGen, is it puts money to the FAA that they cannot spend.

This is a program that does need strong oversight. We have been told that in our committee time and time again by the IG and others before us. We want to move forward on the NextGen and we want to do it in a responsible way. This amendment will give them money that they will not be able to spend.

I urge our colleagues to vote against this amendment.

I yield all of our time, move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio Mr. (BROWN), the Senator from West Virginia (Mr. BYRD), the Senator from Washington (Ms. CANTWELL), and the Senator from Pennsylvania (Mr. SPECTER) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 26, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—68

Akaka	Gregg	Nelson (NE)
Alexander	Hagan	Nelson (FL)
Baucus	Harkin	Pryor
Begich	Inhofe	Reed
Bennet	Inouye	Reid
Bennett	Johnson	Roberts
Bingaman	Kaufman	Rockefeller
Bond	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brownback	Kohl	Sessions
Burris	Landrieu	Shaheen
Cardin	Lautenberg	Shelby
Carper	Leahy	Stabenow
Casey	Levin	Tester
Cochran	Lieberman	Udall (CO)
Collins	Lincoln	Udall (NM)
Conrad	Lugar	Voinovich
Dodd	McConnell	Warner
Dorgan	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wicker
Franken	Murkowski	Wyden
Gillibrand	Murray	

NAYS—26

Barrasso	DeMint	Kyl
Bayh	Ensign	LeMieux
Bunning	Enzi	McCain
Burr	Feingold	McCaskill
Chambliss	Graham	Risch
Coburn	Grassley	Snowe
Corker	Hatch	Thune
Cornyn	Isakson	Vitter
Crapo	Johanns	

NOT VOTING—5

Brown	Cantwell	Specter
Byrd	Hutchison	

The motion was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote and to lay that motion upon the table.

The motion to lay upon 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 12:50 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued

Mr. WICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 2370, 2371, AND 2372

Mrs. BOXER. Mr. President, I have decided to come to the Chamber in my capacity as chairman of the Environment and Public Works Committee to address a number of Coburn amendments that he has either laid down or intends to lay down, and I hope we can work to defeat these amendments, as I understand them, and I want to say why.

We have a very important relationship with our States when it comes to transportation and highway programs, and we work with them on many aspects of transportation. We have something called the Transportation Enhancement Program. It is a TE program. It was created in 1991 in the ISTEA bill, and one of the purposes was to encourage investments in many areas that have been overlooked. I want to give you an example of those.

Since 1992, because of this TE Program, over $11.5 billion has been made available to the States for some very important purposes that deal with safety, that deal with making sure our highways are kept in a condition we want to see them kept. I will give more examples of the funding. But over that period of time, that $11.5 billion has created 399,000 jobs. Let me repeat that. This special program Senator COBURN wants to strip—and he wants to strip parts of it—is responsible for 399,000 jobs since 1992. I am here to say—because I know my friend, Senator MURRAY, agrees with me—of all the times not to visit more job losses on our people, it certainly is now. Jobs are key, and the Coburn amendment is a jobs killer.

Let me tell you about the various areas that fall under this program he is taking the ax to.

Environmental mitigation. This includes projects that address water pollution due to highway runoff. We just read a front-page story in the New York Times where we see terrible water pollution affecting our children. They had a picture of a child who has been drinking water that really has not been tested in the right way according to the law. This child's teeth all have to be capped because his teeth rotted. So we want to make sure we do not let that runoff get into waterways.

Also, we hear about wildlife mortality. Anyone who has seen the result of a crash between a car and, let's say, a deer on a road knows this is a horrific situation for all parties, and it is a matter of life or death for drivers and their passengers. That is what some of this money is used for and that is what our friend, Senator COBURN, wants to take the ax to, as far as I understand it.

Then there are facilities for pedestrians and bicyclists and safety and educational activities for pedestrians. Residents of my State are strong supporters of spending transportation funds on bicycle paths and pedestrian facilities. We all know walking and biking are forms of transportation which should not be cut but, rather, encouraged.

Other categories of TE, the transportation enhancements, that it is my understanding Senator COBURN wants to cut: acquisition of scenic easements and scenic history sites, including historic battlefield sites. Does he think that little of the history of the country that he wants to take an ax to this, scenic or historic highway programs, including the provision of tourist and welcome center facilities? Again, tourism is one of the things we need to build up. There are many millions of jobs related to tourism, landscaping, and other scenic beautification. We all know and take pride in our communities. Highway beautification, to me, is a key part of our quality of life—historic preservation, rehabilitation, and operation of historic transportation buildings.

We have seen some of those. We have seen them in places as far flung as New York to places in St. Louis, MO, to San Francisco, CA—preservation of abandoned railway cars, including conservation and use of the cars for pedestrian or bike trails; inventory control and removal of outdoor advertising and archeological planning and research. Senator COBURN would have us believe that transportation enhancements are a low-priority project. These are investments that put hundreds of thousands of Americans to work. These are investments that improve safety, prevent pollution, save fuel, and improve the quality of life for millions of Americans.

I wonder if Senator MURRAY and I can engage for a minute here through the Chair.

What is the timing of when these amendments will be voted on? Can the chairman tell me?

Mrs. MURRAY. Mr. President, in response to the Senator from California, the Senator from Oklahoma has offered a number of amendments. We are hoping to debate them this afternoon and vote on them tomorrow morning.

Mrs. BOXER. May I ask, through the Chair, if the chairman of the subcommittee would allow me to be heard for a minute before we have a vote on any of these amendments that deal with transportation enhancement programs.

Mrs. MURRAY. Mr. President, we will make sure, as we put together the order for tomorrow, the Senator can be heard before the votes occur.

Mrs. BOXER. I thank the Senator.

I yield the floor.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2366, AS MODIFIED

Mr. WICKER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 2366, as modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Mississippi [Mr. WICKER] proposes an amendment numbered 2366, as modified.

Mr. WICKER. 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 permit Amtrak passengers to safely transport firearms and ammunition in their checked baggage)

At the appropriate place, insert the following:

SEC. ____. (a) FUNDING LIMITATION.—Notwithstanding any other provision of law, beginning on the date of the enactment of this Act, amounts made available in this Act for the National Railroad Passenger Corporation (Amtrak) shall immediately cease to be available if after March 31, 2010, Amtrak prohibits the secure transportation of firearms on passenger trains.

(b) DEFINITION.—In this section, the term ''secure transportation of firearms'' means—

(1) if an Amtrak station accepts checked baggage for a specific Amtrak route, Amtrak passengers holding a ticket for such route are allowed to place an unloaded firearm or starter pistol in a checked bag on such route if—

(A) before checking the bag or boarding the train, the passenger declares to Amtrak, either orally or in writing, that the firearm is in his or her bag and is unloaded;

(B) the firearm is carried in a hard-sided container;

(C) such container is locked; and

(D) only the passenger has the key or combination for such container; and

(2) Amtrak passengers are allowed to place small arms ammunition for personal use in a checked bag on an Amtrak route if the ammunition is securely packed—

(A) in fiber, wood, or metal boxes; or

(B) in other packaging specifically designed to carry small amounts of ammunition.

Mr. WICKER. Mr. President, I rise today in support of amendment No. 2366, as modified, which I have offered on behalf of millions of law-abiding gun owners across the country.

Earlier this year, I offered an amendment to the budget that would have limited certain budget opportunities to Amtrak, unless this federally subsidized agency enacted policies to accommodate passengers' second amendment rights. The amendment I offered passed by a bipartisan vote of 63 to 35, but it was not included in the final version of the legislation when it returned from conference.

Therefore, I am here on the floor to try again. In our country today, airline passengers may transport firearms and ammunition in secure checked baggage when declared during the check-in process. But, on the other hand, Amtrak passengers are not permitted to do likewise. This means that sportsmen who wish to use an Amtrak train for hunting trips cannot do so because they are not allowed to bring a firearm in checked luggage—something that is done every day at airports across our country.

I want to emphasize that this amendment only deals with secured and checked luggage, as checked baggage on Amtrak trains. Law-abiding gun owners should not be penalized for seeking alternative means of travel. At one time, Amtrak accepted firearms in secure checked baggage, but this policy was changed in 2001.

The commonsense amendment before us today is straightforward. It simply says that if Amtrak continues to deny the right of gun owners to securely transport firearms in checked luggage, the rail line will no longer receive a Federal subsidy of $1.55 billion. At the request of the leadership of the committee, I have modified my amendment to make it effective only after March 31, 2010, in order to give the agency adequate time in which to comply with this amendment.

I want my colleagues to know that the amendment before us today mirrors current TSA requirements to check a firearm for air travel. I must say these requirements are detailed and strict. For example, should my amendment pass, the following requirements must be met:

No. 1, a passenger who wishes to transport a firearm must be travelling on a route that accepts checked luggage.

No. 2, the passenger must declare the firearm before boarding the train.

No. 3, the firearm must be unloaded and stored in a hard-side container that is locked, as is required on the airlines.

No. 4, only the passenger can have the key or combination for the container.

This was done successfully by Amtrak prior to 2001, without incident. Regional rail lines, such as Alaska Railroad Corporation, allow firearms, as I am trying to do in this amendment, and that is done currently in Alaska Railroad Corporation, again, without incident.

It is sometimes much more convenient for sportsmen to travel by rail, particularly in rural and remote parts of the country. The Alaska Railroad Corporation knows there is no need to show prejudice to lawful American sportsmen. That is why their travellers may transport firearms in checked luggage, and that is why we are asking nothing more than that and nothing less than that of the government-controlled Amtrak system.

I might also add that spending is certainly out of control in Washington, and it is hard for me to imagine Congress considering providing over $1.5 billion to Amtrak, while the rail line intentionally limits its revenue and chooses not to receive passenger miles from this specific and law-abiding segment of travelers.

Americans should not have their second amendment rights restricted for any reason, particularly if they choose to travel on America's federally subsidized rail line.

A vote in support of this amendment is a vote in support of the second amendment and for the right of gun owners across America. I urge adoption of the amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

AMENDMENT NO. 2376

Mr. VITTER. Mr. President, I ask unanimous consent to set aside any pending amendment and call up amendment No. 2376.

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 Louisiana [Mr. VITTER] proposes an amendment numbered 2376.

Mr. VITTER. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To affirm the continuing existence of the community service requirements under section 12(c) of the United States Housing Act of 1937)

At the appropriate place, insert the following:

SEC__. None of the funds made available in this Act shall be used to restrict implementation or enforcement of the community service requirements under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c)).

Mr. VITTER. Mr. President, my amendment, No. 2376, is very simple and straightforward. To understand it, we need to go back a little bit, to 1998. In 1998, Congress passed the Quality Housing and Work Responsibility Act, a law requiring all able-bodied people living in public housing to perform 8 hours per month of community service, with the idea that individuals who are getting this benefit from all of the other taxpayers should give back, should contribute to the community as some partial repayment for the very significant benefit they are getting. I think that concept had—and I certainly hope it still has—widespread consensus, bipartisan support. It has been the law since 1998.

Unfortunately, some folks in Congress—I believe a minority, but some folks in Congress—want to throw this basic, straightforward community service requirement out the window. In fact, in 2001, these proponents actually got language included in the VA/HUD appropriations bill which temporarily, for that one fiscal year, did do away with this community service requirement. It was just that 1 year. That is the only year since 1998 where the requirement was thrown out the window, but it did happen in that year.

Unfortunately, those same folks, like-minded folks, have made the attempt again, and in this year's VA/HUD appropriations bill on the House side, before a lot of advocates for the community service requirement were

able to take notice, a similar amendment doing away with the community service requirement was passed through the House by voice. Again, this slipped through. The advocates of the community service requirement did not notice; otherwise, they would have demanded a rollcall vote. But it did slip through by voice.

It is very important that we correct that and preserve the community service requirement in the Senate version of the bill so we can also preserve it in the final version of this appropriations bill. This is a very basic, straightforward idea with which I believe the huge majority of the American people agree. It is simply saying: If you are getting a benefit from the taxpayer, you are getting free or highly subsidized public housing, and you are able-bodied, then you should help repay for that benefit by simply devoting 8 hours per month—not per week, 8 hours per month—to community service.

I want to emphasize a few things. No. 1, this applies to fully able-bodied recipients of the benefit only. Exempted residents, for instance, include those who are 62 years old or older, those who are disabled and can certify they cannot comply with the requirement, caretakers of a person with a disability, those engaged in work activities or are exempt from work activities under TANF, family members in compliance with TANF, or the State welfare program's work requirements. That is separate, and they would be exempt and are exempt from this.

Still, according to the Congressional Research Service, after you take all those exempt individuals out, HUD estimates there are approximately 100,000 to 150,000 households that include folks who would have to meet this requirement.

I believe, when you consider the requirement, 8 hours of community service per month, when you consider the exemptions for folks over 62, for folks who have any disability, for folks who are not able-bodied in any way, this public service requirement is truly minimal and thoroughly reasonable. I believe that is why it passed into law in 1998 with broad public and bipartisan support. I believe that is why we should retain it in law today and make sure the House attempt to throw that requirement out the window is not successful.

Public housing authorities are given broad discretion in implementing and enforcing this requirement. There is no absolute penalty for not meeting this requirement. Folks are not immediately thrown out of their public housing. All of this has been done in an as modest, frankly, and absolutely reasonable way as possible. I urge my colleagues, Democrats and Republicans, to retain this important part of present law, to retain this commonsense approach that a wide majority, a broad majority of the American people support. I certainly hope this amendment could be accepted or, if not, retained by a good vote on the floor of the Senate that is overwhelming and bipartisan.

With that, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold the request for a quorum call?

Mr. VITTER. I will.

Mrs. MURRAY. The Senator from Louisiana offers an amendment that makes sure the community service requirement for people living in public housing remains in effect. This includes part of the existing law and is currently being enforced by public housing authorities. What the amendment of the Senator does is simply restate current law. I will be happy to accept it. If the Senator is willing, we can take it on a voice vote at the present time. I am willing to move forward with it.

Mr. VITTER. I will be happy to consider that offer and get back to the distinguished Senator. My only concern is we have as much ammunition as possible to retain this provision in conference, which a very good rollcall vote could perhaps give us. That is my only concern, since the House version of the bill has taken this language out. I will be happy to consider that offer and personally follow up with the distinguished Senator.

Mrs. MURRAY. Again, we are happy to accept the amendment right now. If the Senator wants to have a vote, if we can work out a time to do that, I am happy to do that as well.

Mr. VITTER. I yield my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I come to the floor today to give actually a little bit of a history lesson, to look back and also look forward. I ask my colleagues to join me in looking back some 300-and-almost-75 years. Roughly at that time the first Swedes and Finns sailed to America on a couple of boats, one of which was called the Kalmar Nyckel.

The first Swedes and Finns came to shore—actually, they came up the Delaware Bay, up into the Delaware River, and they took a left turn at an uncharted river and decided to name it after the child Queen of Sweden, naming the river the ''Christina River.'' They landed their boats at a place which we now call The Rocks and decided to name that area the ''Colony of New Sweden.'' The first Swedes, the first Finns in America came ashore in what is now really Wilmington, DE. For the first year, they never called it Wilmington, they called it the Colony of New Sweden.

They came by ships, and for about the next 300 years, a lot of ships were built along the banks of the Christina River, especially during the period from 1945 to 1946 during the heart of World War II. Among the ships that were built there were destroyer escorts, troop landing ships, and a variety of other ships that helped to win the war, helped to win World War II.

When World War II was at its most robust, fullest form, we had 10,000 people who worked on the banks of the Christina River building those ships. A few years after the war ended, what had been a vibrant shipbuilding area along the Christina River dried up, the activity went away. The war was won, and what had been a vibrant shipbuilding area became, over time, a decaying industrial wasteland with relatively little new activity.

In the 1960s, I–95 was built up the northeast corridor of our country, the mid-Atlantic part of our country, and it literally cut Wilmington, DE, in half. Off to the right, to the east of I–95, was the Christina River, and add to that the northeast corridor, the Amtrak main lines between Washington and Boston. The main line of Amtrak also sat between I–95 and the Christina River and served to make it difficult for people even to access the river, almost hard for them to even know it was there.

I became Governor in 1993, and toward the end of that year, I was visited by a former Governor, Russ Peterson, and by a former president of the University of Delaware.

They said: We have been thinking of an idea. We have actually been working under the direction of a joint resolution signed by former Governor Mike Castle to think about what the potential could be for development along the Christina River and the Brandywine Creek not far away. We haven't finished our job. We have had a good start on it, but we need more time. We are about to run out of time under the joint resolution. We wonder if we can have a little more time to think it through.

I said: Hey, look, I am up to my eyeballs in alligators. I have been Governor for less than a year. You guys take as much time as you need.

They went away, and I wasn't sure I would ever see them again or talk to them again. As it turns out, in about 6 months they came back, and they said: Do you remember our coming in and talking to you?

I said: Yes, I remember that.

They said: We have gone back and done more work on a vision, if you will, of what the Christina River, this industrial wasteland along either side of the river, of what it could be, and we would like to share that with you today.

I said: Have at it.

By that time, I had been Governor about a year and a half, things were settling down, and I was ready to listen. They had these big architect renderings of a riverfront that certainly looked nothing like the Christina River, didn't look at all like an industrial wasteland. There was a river

that was pristine, with parks, walking paths, boats out on the river, museums, restaurants, places for people to live, places for people to work, theaters, museums. And I never will forget—I looked at them. I was blown away by the vision.

I said to former Governor Peterson: Who is going to make all of this happen?

He looked me right in the eye and he said: You are.

I said: Why me?

He said: Well, because you are the Governor.

I said: Well, I love this vision, and let's see if we can't help to realize it.

I think that conversation was in 1994. Anybody who today takes the train up the northeast corridor and stops at the Wilmington train station would say we have made a lot of progress. The place is cleaned up. We actually have walking paths along the river. We have parks. We have beautiful places where people live and condominiums and apartments as well as other homes. We have restaurants and we have museums. We have hope—that is what I am here to talk about today—for a children's science museum along the riverfront. But it is a vision that has been realized. A lot of people come there to eat at restaurants along the riverfront. And the river itself is being cleaned up, the water quality is being cleaned up, and the environmental hazards, and so forth, the waste that was left there has been for the most part cleaned up.

Probably in another month or so, less than a month or so, we are going to open a 250-acre wildlife refuge named after former Governor Peterson, built in partnership with the DuPont Company and the Nature Education Center. People will come and just enjoy, literally on the outskirts of the city, a large, urban wildlife refuge with walking paths and see what might have been some 100 years ago or 50 years ago in that place.

About 10 years ago, when I was nearing the end of my time as Governor, my second term, a group of citizens in our State came to see me, and they said they were exited about the riverfront and what was happening there.

They said: You know, Delaware does not have a children's museum.

I think every other State does. We do not. In fact, it turns out there are about 250 children's museums across the country.

They said: We are interested in having a children's museum to go with all of the other attractions on the riverfront.

We talked about it for some time, and I said: I like the idea. I like the concept. But to tell you the truth, I would be a lot more interested in it if it were a children's science museum.

At the time, I was trying to figure out, how do we get kids motivated, excited about science, how do we get them excited about careers in science? It is all well and good, the State is big in tourism, big in financial services, we have had a great history with the chemical industry, shipbuilding at one time. But in our Nation and in my State, we need more scientists, we need more engineers, we need more people who have facility in mathematics and who are going to go out and become inventors, create things, things of value that will help us, among other things, create jobs in the 21st century. Whether it is in clean energy or conservation or wind, solar, new ways to create nuclear power, we need people with those credentials too.

It starts very young. We have adopted, in my State, rigorous academic standards for math and science, English and social studies, with a real focus on the math and science. We say: This is what we expect you to know and learn and be able to do. And we are going to measure students' progress on that. Most every State has done that. As I said earlier, most every other State has decided it is going to have its own children's museum.

I told the folks who presented their idea to me about a decade ago: If you want me to be involved, if you want me to be as excited as you are, I want to change the focus not just to be a children's museum in Delaware, I want it to be a children's museum that focuses on science. I want young kids in the target audience of 6 to 12 to come here and leave here excited about wanting to be astronauts or wanting to be environmentalists or wanting to create new ways to harness the energy of the Sun or the wind or to find ways to deal with spent fuel rods from nuclear powerplants. That is where my interest is.

Over time, the focus of this concept, this idea of the children's museum, has turned to focus on science, and to date I am told we have raised over $11 million for the project. We actually have picked out the building. I think they have a lease or a sort of a contract on a large structure right at the bend of the Christina River there in Wilmington, which is where Kahunaville used to be. Kahunaville sort of conveys the idea of a good time, and for many years, people went there and had a really good time. It was a great nightclub with some big acts over the years. Bob Dylan performed there and Hall and Oats, all kinds of people over the years. It is no longer a nightclub; it is an empty building, and it is a large empty building that actually lends itself to being, we think, a terrific site for a science museum for the kids of Delaware.

So far to date we have raised, as I said, over $11 million. To date, the Federal Government has provided about $250,000. So out of over $11 million, less than 3 percent has come from the Federal Government.

I have asked for an appropriation, a directed appropriation, of about another $198,000, and I appreciate very much the support of the Appropriations Committee to include that amount. If it is included in what we have already appropriated, it would be about $450,000 out of a budget of roughly $11.5 million—roughly 4 percent of the total project. A lot of the money is going to come from the private sector, a fair amount from local sources, State and local sources, as well.

I will give you a flavor of the kinds of exhibits we are going to have there. I will mention the names of some of the sponsors. The DuPont Company has been great, and it is a wonderful environmental company. It has agreed to help sponsor over the next couple of years an exhibit that focuses on environmental issues, I think largely focusing on estuaries. We have a big estuary in the Delaware Bay and not far away in the Chesapeake Bay. This will really excite our kids about the water and preserving the quality of our water and improving the quality of our water. AstraZeneca is going to help us create an exhibit on the human body, something interactive that the kids can really get into and enjoy and learn from. One of our larger banks, JPMorgan Chase, is going to help us with a project to focus on financial literacy. If there is anything that would help us all, young and old, that is, I think the events of the last year or two have pointed this out. We will have exhibits that focus on clean energy, whether it is wind, solar. We will have ways to use wind and solar, to show and demonstrate how we rely on those. We will have an exhibit that will focus on conservation, smart grid, to show how we can be better consumers, smarter consumers. We will have some focus on, among other things, nuclear energy and show how we actually create electricity from nuclear power. Those are some of the dynamics.

Our vision is, that when the kids leave the children's science museum on the banks of the Christina River, they will be juiced, they will be excited, and they will want to come back. But just as importantly, when they go back to class the next day or the next week, they will be thinking about their math assignments and even their science assignments a little bit differently and trying to provide a connection: How is what I am learning in my classroom relevant to what is going on in our world? How is it relevant to what I might be doing as a life work later on when I am finished with school and go out into the world?

We need more scientists, we need more engineers. I know we need both of those. We need people who have a lot of expertise in math. We need people who are going to invent things to help us make this a better world. And for what I think is a fairly modest investment on behalf of the Federal Government—about 4 percent of a much bigger project—I think this is a very good investment, and not just for kids in Delaware but for the kids who are going to graduate from the schools and go on and do things in their life to help all of us in Delaware and across the country and maybe even around the world.

Those are some of the reasons I have asked for this appropriation. I am

grateful to the Congress for supporting this a year ago. When we asked for about $250,000, it was included. With this money, if we are successful in gaining this appropriation, we will be able to go forward and hopefully actually open the Delaware children's science museum in the spring of next year, which would be a very good thing, not just for us in Delaware, not just for those who visit Delaware, but I think, on a broader scale, for a lot of folks in our country.

I see I have been joined by the former Governor of Virginia, in whose State I visited a number of those children's museums, those science museums. I remember taking our boys, when they were between the ages of 6 and 12, to a couple of them around the country. Just remember, we have one who is a mechanical engineer, at a 4-year college up in Boston, and his little brother—now a very big brother—he is really good in math and a bunch of other things as well, and I think maybe a little bit of that came from those visits all those years ago.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I commend my colleague and good friend from Delaware for his compassionate interest, not only in what sounds like a very worthy project in Delaware, but his constant commitment to making sure we are always looking over that next horizon, whether it is in education or energy issues he has been involved with as a Member of Congress and as a Governor, and now as the senior Senator from Delaware. The project he describes sounds like a good one, and I hope it gets favorable consideration from the Senate. I welcome the chance to support him.

I wanted to take a moment to talk about a project that is already in this very important 2010 Transportation-HUD appropriations bill. I commend the subcommittee chair, the Senator from Washington, and the ranking member for their good work on this bill. There is a certain amount of celebration in this bill for us in the greater Washington region because this Transportation appropriations bill is actually the culmination, in many ways, of an effort that has been ongoing for close to 50 years. Even when your dad served in the other body, one of the things I know he probably experienced was flying into our region, particularly flying into Dulles, and he might have found it difficult to get from Dulles into greater Washington.

One of the most remarkable things that has always stunned me as a Virginian, and as a long-time resident of the national capital area is that we have never had rail or metro linkage from our international gateway airport out at Dulles into our Nation's capital. With this legislation, with actions taken earlier this year, we finally have in place a financing arrangement and the beginnings of construction for the long overdue Dulles Metrorail project.

The Dulles metrorail project is part of a 50-year plan that started with the construction of Dulles Airport. Throughout that time, there was always a reserve. Anybody who made that drive—and I know the Presiding Officer has made that drive many times—has seen the corridor in the middle of the road. That corridor has been reserved for ultimately building out rail, from the existing Washington metro system, all the way to Dulles.

This is a project that my predecessor, John Warner, worked on for years. It was one of his proud accomplishments, finalizing Federal support for this project. I commend his efforts in the past. It is a project I have been involved with for over 20 years, first when I was on the Commonwealth Transportation Board, when we had to preserve that corridor for a metrorail project. I recall, back in the late 1980s and early 1990s, efforts to try to take away that right-of-way so it could be used for additional highway construction. There was always a need to say: No, we have to reserve that. At some point, we will finally get metrorail to Dulles. This has now become a reality.

It was a project I worked on as Governor. There were a number of times we tried to put together a very complex financing arrangement in order to make sure all the partners, State and local and Federal, would step to the plate and do what was right but also do what was terribly important to the national capital region: making sure our international gateway airport is linked to the capital. I am proud to report that earlier this year in March, Secretary LaHood and former Senator Warner and myself, Governor Kaine, Congressman FRANK WOLF, who has been a long-time supporter, got together and signed the final funding arrangement that committed the Federal Government, the Commonwealth of Virginia, and local communities on this critically important project.

It is needed for a variety of reasons. It is needed not only to link international and domestic passengers who come into Dulles to visit our Nation's capital, but this corridor has rapidly become the economic hub of all northern Virginia. Dulles Airport currently serves about 24 million passengers each year. Population in the Dulles corridor is expected to increase by 50 percent and employment to increase by 47 percent by 2030. As someone who I know travels that corridor on a regular basis, you have seen how it has been built up, and there will continue to be the expansion of a great deal of economic activity for all northern Virginia and for the entire Washington area, particularly in the high-tech sector.

This past March, the full funding agreement was signed, and $900 million over the period of the whole project was committed from Federal funds. But let me make clear it is not only the Federal Government that is stepping up on this critically important project. The Commonwealth of Virginia has committed to be a major partner in funding. The localities have stepped forward in terms of funding. There have been very creative activities in terms of creating a special taxing district of our local property owners in the region who will benefit from this metrorail extension. They have skin in the game as well. The State is contributing some of the toll revenues from our toll road in the corridor. This is a project, even during these difficult economic times, where the State, the localities, and the Federal Government have stepped up in a major way.

It will be enormously beneficial to our whole region. It will be enormously beneficial to the Commonwealth and to our Nation's capital in terms of the millions of visitors who come in from all over the country and the world. They will have the opportunity not only to take one of those increasingly expensive cabs, but also simply to jump on the train and come into Washington.

There is also another very important reason for continuing this project. The Dulles Corridor Metrorail Project is an important multimodal project with critical homeland security implications. Expanding metrorail into the Dulles corridor is terribly important in terms of evacuation opportunities, should the capital ever be under assault. It is obviously terribly important in economic development activities, in terms of tourism activities. This project is crucial to the well-being of the whole national capital region.

As a matter of fact, earlier today I was out in Tysons Corner, one of our major development areas on the way out to Dulles rail. Although we were caught in some pretty dreadful traffic, it was a little bit of a mixed blessing. Part of the traffic was because construction has actually started on some of the rail stops in the Tysons area that will ultimately relieve not only traffic congestion but will, obviously, decrease greenhouse gases. So this project has added benefits as well, an issue I know is very important to the Presiding Officer in terms of dealing with climate change.

I know there are others in this body who perhaps have raised questions about some of the projects that are included in this 2010 Transportation-HUD appropriations bill. This is one of those projects I can't imagine anyone being critical of. This has been 50 years in the making. Enormous time, effort, and resources have gone into it. The fact that the final funding agreement has now been signed and we actually have broken ground is a time to celebrate. The $85 million included in this year's appropriations funding for the downpayment and first installment of what is going to be a critical Federal funding stream is a very worthy sum that is going to provide benefits for this region and for our capital for many years to come.

I, again, commend the chair of the Appropriations subcommittee, my colleague and friend, the Senator from

Washington, for her great work on not only this particular Dulles metrorail project, which I believe, as a frequent flier in and out of Dulles, I hope she will be the immediate beneficiary of as well, but to all members of her subcommittee. I thank them for their good work on this bill, this important project, and the many other projects in this legislation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COCHRAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, the Senate Appropriations Committee has reported all 12 appropriations bills for fiscal year 2010, and the Senate has considered and passed 4 of those bills. I expect passage of the Transportation, Housing and Urban Development bill we are now considering will be the fifth. I am pleased the full Senate has had the opportunity to consider and debate the policies and priorities embodied in these bills. All Senators have had the opportunity to question the managers and to offer amendments, if they wanted to do so.

By next week, I expect the House and the Senate will be convening conference committees to complete action on the bills that have already passed the Senate. It is a fact, however, there are only 2 weeks remaining in this fiscal year. We will probably need to pass a short-term continuing resolution to keep the remainder of the government running beyond September 30. While we anticipate we will be able to pass such a resolution, I think it is important we complete action on the remaining appropriations bills as soon as possible.

We have sent a letter, dated March 24, to the majority leader of the Senate—suggested by the distinguished Senator from Tennessee, Mr. CORKER, back last March—and in that letter we requested the leadership ''allocate an appropriate amount of time for the Senate to consider, vote, and initiate the conference process on each of the 12 appropriations bills independently through a deliberative and transparent process. . . .''

That letter stated a goal of passing 8 of the 12 bills before the August recess. While the Senate did not meet that goal of passing eight bills prior to the recess, I think we did make good progress. I have to congratulate the distinguished chairman from Washington for helping lead the way and helping us achieve that progress. To a degree, we have been hampered by the lateness of the President's budget request and the necessity of waiting for the House to pass the appropriations bills first.

But the House has now passed all of its bills, and we have a window of floor time available to consider the remaining bills in the Senate. I believe strongly all Members should have the opportunity to consider the bills and participate in this process and offer amendments, if they choose to do so. But with the end of the fiscal year approaching and floor time becoming a precious commodity, we should not have to spend large blocks of time in quorum calls waiting for Senators to offer amendments.

At some point, the bills will have to be taken up and passed one way or another. In the past, this has meant packaging bills together into omnibus bills, and we know how well that is received. Not at all. And all but a few Members lose the opportunity to participate and contribute through the amendment process and debate and influence the outcome of conference reports.

I have concerns about the budget proposed by the President, most of which is embodied in the congressional budget resolution that provides the framework for the appropriations process. I voted for several amendments to the budget resolution that would have reduced spending from the levels proposed by the President. I also voted against the resolution itself. I think the level of debt we have accumulated is alarming.

The fact remains, however, that Congress has approved the President's budget. While an Omnibus appropriations bill would highlight the problems with the President's spending policies, I do not think that course of action would be helpful to the process. By considering the bills individually, though, all Senators will be given an opportunity to have meaningful input and participation in the process, and that is as it should be.

So I look forward to continuing to work with the distinguished chairman, Mr. INOUYE, our subcommittee chairs, and our two leaders, and all Senators to complete the appropriations process in an orderly and timely fashion that will reflect credit on the Senate.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Mississippi for his remarks. As ranking member and former chairman of this committee, he knows full well we work very hard to accomplish and complete these bills and to get them done in a timely fashion. We are working our hearts out to get that done.

To that point, the bill before us, the transportation and housing bill, has now been on the floor of the Senate Thursday afternoon and evening, Friday, Monday, all of today, and we will finish it tomorrow. So for any Senators who are sitting out there with issues, you need to come to the floor and get them resolved. We hope to start a series of votes tomorrow morning to get through a number of the amendments that are out there and finish this so we can move to the Interior appropriations bill tomorrow.

So, again, for the notification of all Senators, to the point the Senator from Mississippi raised, come to the floor, resolve your disagreements, or help us schedule a vote. We are going to finish this bill tomorrow.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY SENIOR CITIZENS RELIEF ACT

Mr. SANDERS. Mr. President, I want to touch upon an issue I think has not gotten as much consideration in the Senate as it might; that is, for the first time since 1975, and in the midst of a major recession, senior citizens in our country who are on Social Security will not—unless we act—be receiving a cost-of-living adjustment this year.

Let me repeat that. For the first time since 1975, and while we are in the midst of a major economic recession which is causing havoc with the lives of all of our people, including senior citizens, this year—unless Congress acts—senior citizens will not be getting a cost-of-living adjustment.

Among other things, this would mean monthly Social Security payments would drop for millions of retirees because Medicare prescription drug premiums—the Medicare Part D Program—which are deducted from Social Security payments, are scheduled to increase.

So what we are looking at is that not only will tens of millions of America's seniors not receive any increase in Social Security but many, in fact, will see a reduction because their Social Security checks will go to pay for an increase in Medicare Part D payments. I would suggest in the midst of the worst recession since the Great Depression, we cannot allow that to happen.

Many senior citizens in this country have recently, within the last year or two, seen a significant decline in their savings because of the losses they incurred with the drop in the stock market. Many have seen their pensions disappear. Many have seen the value of their home dramatically diminish. All of this is taking place at a time while poverty among senior citizens is going up. And the number of seniors who are declaring bankruptcy is also increasing.

Most importantly, I think it is imperative that sooner than later we take a hard look to determine how COLAs for Social Security beneficiaries are, in fact, determined. Some years ago, when I was a Member of the House, I introduced legislation to establish a separate index for seniors because the simple reality is, it is wrong to include seniors in the overall index because their needs—how they spend their money—are often very different than how the rest of the population spends their money.

If you are a young person or a middle-aged person and you want to go out and buy a laptop computer today, for example, the odds are you are going to get a pretty good price on that computer, and the price of that computer will be substantially lower than it was a couple years ago. So for you, inflation for your expenditures on technology may well have gone down.

On the other hand, if you are a senior citizen, especially one who does not have a whole lot of money, how are you spending your money? Well, a very significant cost for seniors, obviously, is health care. For those needs Medicare does not cover, the truth is, health care costs, as we all know, are exploding. They are going up.

So if you are a senior, the odds are you are spending a lot more for health care out of your own pocket this year than you did last year. If you are a senior and you get caught in the doughnut hole of Medicare Part D, you are spending a lot of money because prescription drug costs, in many instances, are also going up.

So I think when we take a look at the COLA, we should understand the needs of somebody who is 75 or 80 years of age and how he or she spends their money, from an inflation perspective, is very different from somebody who is 18 years of age or maybe 40 years of age. But be that as it may, there can be no debate that millions of senior citizens today, in the midst of this recession, are hurting very badly. I think we would be doing a great disservice to them by turning our back on their needs and not making sure we are providing some financial support to them.

Therefore, I am asking my colleagues to join me in becoming an original cosponsor of the Emergency Senior Citizens Relief Act, legislation I will be formally introducing on Thursday. Under this legislation, all Social Security recipients, railroad retirees, SSI beneficiaries, and adults receiving veterans benefits will receive a one-time additional check of $250 in 2010. Since seniors living on fixed incomes are most likely to spend this money—whether it is on health care, whether it is trying to keep warm this winter—this legislation would provide a boost to our economy as it emerges from the economic crisis.

I very much appreciate that my colleague from Vermont, Senator LEAHY, is an original cosponsor, and I hope within the next couple of days we can have more.

For more than three decades, seniors have relied on a cost-of-living adjustment in their Social Security benefits to keep up with their increased expenses. Unfortunately, the current formulation for determining Social Security COLAs, in my view, does not accurately take into account the purchasing needs of today's seniors who often do not buy items such as laptop computers and cellular phones but spend, as I mentioned a moment ago, a disproportionate percentage of their income on health care needs and prescription drugs.

The truth is, what we are proposing now is something very similar to what the Obama administration provided for in the stimulus package. This legislation we are offering is fully paid for by simply applying the Social Security payroll tax to household incomes above $250,000 and below $359,000 in 2010.

Under current law, only the first $106,000 of earned income is subject to the Social Security payroll tax, thus a worker earning $106,000 pays the same payroll tax as a CEO making $300 million. This legislation begins to correct this inequity in 2010, while making sure seniors receive a fair increase in benefits next year. I should point out, in terms of this offset, no one in America earning $250,000 or less would see their payroll taxes go up at all.

So I think this is an important issue. I think seniors all over this country are worried about their financial situation. They want the Congress to pay attention to their needs. I think the one-time financial support of a check of $250, while not a whole lot of money, would at least help many people not see a reduction in their Social Security checks and would be of real help.

Mr. President, with that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 416, 417, 423, 424, 425, and 426; that the nominations be confirmed en bloc, and the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Steven M. Dettelbach, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

Carter M. Stewart, of Ohio, to be United States Attorney for the Southern District of Ohio for the term of four years.

Peter F. Neronha, of Rhode Island, to be United States Attorney for the District of Rhode Island for the term of four years.

Daniel G. Bogden, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Dennis K. Burke, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

Neil H. MacBride, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued

AMENDMENT NO. 2366

Mr. DURBIN. Mr. President, I rise to speak in opposition to the Wicker amendment, No. 2366, pending before the Senate on the THUD bill, as it is known around here—the Transportation, Housing and Urban Development bill. This is a bill which obviously includes Amtrak. Senator WICKER, of Mississippi, has offered an amendment which relates directly to the funding for Amtrak and whether it will be cut off.

The Senator from Mississippi says in his amendment he would cut off all Federal transportation funding for Amtrak in the next fiscal year unless Amtrak allows its passengers to transport guns in their checked baggage. This amendment would essentially impose upon Amtrak the standards for checking guns and ammunition that currently applies to airplanes. However, planes and trains have very different systems for handling checked baggage and different security concerns.

Let's talk about the effect of the Wicker amendment. Amtrak has said it is not ready to allow guns and ammunition to be transported in checked baggage. Amtrak doesn't have the security infrastructure, the processes or the trained personnel in place to ensure that checked firearms would not be lost, damaged, stolen or misused. Senator WICKER is imposing a new burden on the Amtrak train system in America—clearly an unfunded mandate—so some passengers—I don't know how many—can check firearms in their baggage. If this amendment becomes law, Amtrak would have to let guns checked in baggage onboard, regardless of the fact that they aren't prepared for this, or they forfeit Federal transportation funding that the railroad desperately needs to provide services to millions of Americans.

I understand the Senator from Mississippi is going to modify his amendment to provide for a March 2010 effective date, which, in effect, gives about 5 or 6 months for Amtrak to hire additional security personnel, to buy the equipment or create the equipment for this checked baggage and to establish procedures at all the Amtrak stations across America so some people can check a firearm on an Amtrak train. I don't know if 6 months is feasible for Amtrak to make such a significant policy change.

Why is the Senator from Mississippi determined that we have to, in 6 months, make sure that any American who legally owns a gun can take it with them on an Amtrak train in checked baggage? Shouldn't we take the time to take a look at this and consider the basic questions of safety and cost before we vote for this?

Amtrak's current policy prohibits any type of firearm, explosive or weapon from being checked or carried on in baggage. This policy was put in place in the year 2004. Do you want to know why Amtrak put this policy in place in 2004? It was after the Madrid, Spain, train attack that killed 191 people and wounded 1,800 more. Amtrak's reasons for this policy were clear—safety and security. It was put in place in the aftermath of terrorist attacks that claimed lives.

Let me quote from a statement issued by Amtrak on its current policy.

> Amtrak accepted firearms in baggage in checked baggage at one time. Weapons had to be separately secured in baggage or containers. However, after the terrorist attacks of September 11, 2001, Amtrak began to place restrictions on the carriage of weapons on Amtrak trains. In 2004, the review and evaluation of numerous security measures occurred again after the attack on passenger trains in Madrid, Spain, on March 11, 2004. The purpose of this policy revision was to better ensure the safety and security of Amtrak passengers and employees. Amtrak decided to implement a total weapons prohibition, including firearms. The only exception was for sworn law enforcement personnel. Today, that policy is still in effect.

That exception is reasonable—for sworn law enforcement personnel. But the Senator from Mississippi wants to go beyond that. He wants to allow anyone who legally owns a gun in America—and I might tell you that the standards in many States are not that high for the ownership of firearms—to impose upon Amtrak an obligation to check baggage with an unloaded firearm in a container, as specified, and that Amtrak has to set up the process for that passenger, regardless of the cost to Amtrak, which incidentally neither the Senator from Mississippi nor anyone else on the Senate floor knows. We have no idea what this is going to cost.

This amendment simply disregards the risk assessment that Amtrak conducted for the security of our rail network. It calls for eliminating all funding for Amtrak unless they adopt the policy on checking firearms in baggage the Senator from Mississippi is insisting on.

The stakes for Amtrak are enormously high. In the current fiscal year, Congress has appropriated $1.49 billion for Amtrak's operations and capital improvements. This amendment would say Congress couldn't give $1 to Amtrak unless it changes the policy, as the Senator from Mississippi insists.

Well, I can tell you what Amtrak means to my State of Illinois. With the increasing cost of gasoline, more and more people are relying on Amtrak. Thank goodness they are. Using Amtrak trains means fewer cars on the highway and less pollution. Families are saving money. It is a godsend for those who use them in college towns—sending their kids to school and letting the kids return using the trains.

In Senator WICKER's home State of Mississippi, Amtrak had a ridership of 100,000 people last year. That number isn't as large as the 4.4 million in my home State, but it is a fair number of people in Mississippi who found it convenient to ride on Amtrak trains. Last year, Amtrak employed 72 people in Mississippi and paid out over $4.5 million in wages. The Senator from Mississippi says: If you don't accept my amendment to allow firearms in checked baggage, close it down.

Nationwide last year, 28.7 million passengers rode on Amtrak—an average of more than 78,000 passengers per day. Amtrak employs nearly 18,000 people nationwide with good jobs, but the Senator from Mississippi would rather see Amtrak's funding, riders, and employees cast aside unless he is satisfied that Amtrak's checked baggage policy allows people to take firearms onto trains.

Besides concerns about terrorism, there are legitimate safety concerns with permitting weapons in checked bags on trains. Amtrak doesn't have the personnel, systems or security infrastructure needed to manage firearms aboard passenger trains. Amtrak cannot effectively safeguard against theft, loss, damage or misuse of transporting guns. Does the Senator from Mississippi expect Amtrak to assign someone to the baggage car to guard the suitcases that may contain the firearms? If he does, how is he going to pay for that?

Passenger trains do not have nearly the baggage handling safeguards that airplanes do. Checked baggage on trains is carried in a separate train car. I wish to tell you, most of the rolling stock of Amtrak is decades old and certainly these baggage cars are as well. They were never designed with this level of security in mind. These train baggage cars are much easier to access during transit and in stations than the checked baggage compartments of airlines. That is fairly obvious.

In addition, Amtrak trains stop much more frequently than airplanes, which creates more opportunities for access and theft and misuse of firearms in checked baggage. In fact, checked luggage is often unloaded and presented to passengers on the platform rather than a remote, secure baggage pickup area. In order to screen and capably manage checked firearms, Amtrak would need to significantly revise its baggage handling operations and the training of its personnel.

What about special situations, such as when there is a homeland security alert due to specific threats against our rail network? There is not one word in the amendment of the Senator from Mississippi about how to deal with these homeland security threats when it comes to firearms and checked baggage. Should Amtrak be required to allow weapons on trains when there is a terrorism alert?

I wish to know if the Senator from Mississippi ever considered that. I know it didn't come up in a hearing on this amendment because there has never been a hearing on this amendment.

A serious effort at revising Amtrak's weapons policy would include an assessment of these safety and security issues. A serious legislative effort at revising Amtrak's weapons policy would also look at the cost this amendment imposes on Amtrak. There is a lot of criticism on the floor about spending and deficits. Here we have an unfunded mandate on Amtrak because at least one Senator—perhaps others join him—believes it is a good idea that people could show up at the Amtrak station and check their firearms. Are the people willing to pay more, every passenger pay more for tickets, so that person can have a guard on the checked baggage in the baggage car with the firearms in place? We regularly hear concerns about Federal spending, particularly from the other side of the aisle. But the Wicker amendment imposes significant security costs that would have to be absorbed by Amtrak. They may have to cut back in services or raise ticket prices to absorb the cost of this effort, because at virtually every Amtrak station in America they have to be prepared, with the Wicker amendment, to take on firearms as checked baggage.

There have been no hearings on this amendment. The Senate has not given Amtrak or law enforcement or Homeland Security, or the baggage handling unions, or anyone affected by this amendment, the opportunity to even consider it and testify.

Given time, given the opportunity to work with these stakeholders, we may be able to work out some kind of understanding that accommodates the concerns of the Senator from Mississippi, but the amendment we have before us is not a responsible approach to this challenge. To think that we would allow one person at one station to impose a burden and expense on Amtrak to be borne by every other passenger, to me, in this age of terrorism, is difficult to explain and impossible to accept.

I urge my colleagues to think twice about this amendment. I know the political force behind gun amendments, but this goes too far. If it is a good idea, why doesn't it go through the ordinary process here? At least have a hearing and answer the basic questions I have raised and others have raised during the course of consideration of this amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. LAUTENBERG). The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I rise to speak as in morning business. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

WTO AIRBUS INTERIM RULING

Mr. BROWNBACK. Mr. President, this issue is actually one that is related to the bill but it is not on point, so that is why I asked for that permission.

Earlier this month, the World Trade Organization issued an interim ruling that the European Union's ''launch aid'' to Airbus is illegal. I say this is relating to the bill because a major transportation issue for us in the United States is the building of major aircraft, of aircraft to be able to transport individuals. What we have seen taking place over the last 15 years is Airbus subsidizing their way into the commercial aviation market and taking market share from Boeing and driving McDonnell-Douglas and other competitors out of the field altogether.

Earlier this month, about 2 weeks ago, the World Trade Organization issued a major finding that the European Union was doing illegal launch aid as a subsidy and it was harming U.S. participants in this marketplace. This ruling is a big one for the Office of the U.S. Trade Representative, which has been pursuing this case for years. U.S. trade policy regarding the aerospace industry has been remarkably consistent for years and across several administrations.

The United States has always contended that the launch aid which the EU provides to Airbus to develop new aircraft constitutes an illegal trade practice. Airbus's dishonest behavior has had a devastating effect on the commercial aviation industry in the United States. Launch aid gives Airbus access to billions in government funds which it could never afford to borrow on commercial terms. This free money directly harms the United States and our competitors in these fields. As the USTR pointed out in a 2006 submission to the World Trade Organization, launch aid helped force Lockheed and McDonnell-Douglas from the large commercial aircraft market. It forced them out of the field because of government subsidy by Europe.

Launch aid has also contributed to a loss of 19 percent of Boeing's market share. Imagine two of your main competitors are forced out of the field, Lockheed and McDonnell-Douglas, and you lose 19 percent of market share, because of a European subsidization in this field. This has harmed the United States substantially, in a big way, and this is a huge ruling for us.

This WTO interim ruling is a big win for the United States and U.S. companies that have had to deal with dishonest behavior by Airbus over the years—or at least it should be a big win. For years the Department of Defense has said it cannot consider foreign subsidies when it holds a competition for defense procurements. In particular, DOD has said it would not consider launch aid last year when it evaluated the cost of the Airbus proposal to build a new aerial refueling tanker for the Air Force.

So here we have a case, supported by administrations, Republican and Democrat, over several years against Airbus that comes out in our favor from the WTO, and the next big bid this may come into effect in is in the military bidding of this tanker, the $40 billion U.S. Department of Defense tanker bid. The Department of Defense is saying we cannot consider the issue of launch aid.

I think that is wrong. I think it is wrongheaded. I think it is harmful and I think it is at cross purposes for our government, where one end of the government, the U.S. Trade Representative office, sues Airbus for subsidization and the other end, the Department of Defense, says we don't care, and if you give us a cheaper aircraft that way, that is fine. That is at cross purposes, and I think clearly what we should listen to is what the WTO has said, that this launch aid is illegal and it should not be allowed to use it to subsidize a military bid in this country by a foreign competitor.

Last year the Air Force chose Airbus to build the tanker because the cost seemed very low. But now we know that the Airbus pricetag covered up development costs that were illegally subsidized by the EU, and we have that from a World Trade Organization interim ruling.

The Department of Defense, I believe, has an obligation to listen to the Office of the U.S. Trade Representative when designing a new tanker competition. Defense procurement should be coordinated with our trade policy. If the WTO agrees with arguments made by the U.S. Trade Representative, why should the Department of Defense, our Department of Defense, be allowed to object? We cannot afford to have the Pentagon undermining our Trade Representative and our trade policy negotiating position at the World Trade Organization. We have seen how launch aid to Airbus distorts the commercial aircraft market, driving two major U.S. competitors out of the field and cutting back Boeing's share of the marketplace by nearly 20 percent. The WTO ruling should keep us from relearning that lesson in the military marketplace as well. Defense contracts should never stack the deck against American companies, particularly when the WTO foreign companies are engaged in illegal trade practices.

Everyone agrees that the Air Force needs new tankers. In this current fleet of tankers, many of the planes are already over 50 years old, and when they are finally replaced some of them will be 80 years old and will still be out there flying. They need to be replaced. Tankers are a vital platform for the Air Force and for all of our Armed Forces. They enable the rest of our forces to deploy across the world. Taxpayers have a right to expect a new tanker competition will have a level playing field, particularly for U.S. entrants.

We should not ask taxpayers to ignore the illegal trade practices of companies vying to build a new tanker and we should not ask taxpayers to outsource this crucial capability to a foreign company offering unrealistic, bought-down-by-the-Government-subsidy bargain basement prices, subsidization from the French Government, from the German Government, to get a U.S. military contract that puts our workers out of jobs.

I call on the Secretary of Defense to ensure the new tanker competition accounts for the recent ruling from the World Trade Organization. DOD should factor the value of launch aid subsidies into the cost estimates for any tanker proposal Airbus might submit. This is the only fair way to account for the way Airbus manipulates the aircraft market and has done so successfully in the commercial aviation field to the great detriment of the United States.

I call on the President to ensure Federal procurements are coordinated with U.S. trade policy. This kind of coordination should be a no-brainer. Our trade policy should not be undermined from within and our procurement policies should reflect our trade priorities.

This is a key issue. It is a key issue up in front of the military. It is a key economic development issue for this country. It is a key contract, a $40 billion military contract. It should be won fairly and squarely by a U.S. company, not by a subsidized European group.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY CHALLENGE

Mr. ALEXANDER. Mr. President, today I want to challenge two popular misconceptions in the Waxman-Markey climate change and energy bill that is now before the Senate after passing the House of Representatives.

The first is the idea that deliberately raising energy prices will somehow be good for job growth and the economy.

The second is that, whatever the problems created by Waxman-Markey, they can mostly be resolved by building more windmills.

Waxman-Markey started out as a bill to reduce carbon emissions in order to deal with climate change. It has ended up as a $100-billion-a-year energy tax nailed to a renewable energy mandate that will saddle consumers with expensive energy for years to come. Instead of a broad-based, national clean energy policy, Waxman-Markey has given us a narrow, expensive national windmill policy.

I believe cheap energy means good jobs.

My perspective, of course, comes from Tennessee, where Alcoa has shut down its smelter where my Dad worked. They are waiting for a cheaper electricity contract from the Tennessee Valley Authority. Goodman, a company in Fayetteville that makes a large percentage of all the air conditioners in the United States, tells me that if their electricity prices go up too much then those jobs will go overseas. Eastman Chemical employs 7,000 Tennesseans and uses coal as a feedstock. The company says if Waxman-Markey goes through they too might be headed overseas. The Valero refinery in Memphis employs 600 people refining fuels, including jet fuel for Federal Express at its Memphis hub. Waxman-Markey would cost Valero $400 million or more per year. Today its profits are $40 million per year at that refinery.

We have two big supercomputers at the Oak Ridge National Laboratory in part because of our abundance of low-cost electricity. Just one of these machines consumes 7 megawatts. Nationwide, computers use 5 percent of our electricity and it is still growing.

Our Governor has attracted two manufacturing plants to make polysilicon for solar cells—these are the ''green jobs'' everyone loves to talk about. Each of those plants uses 120 megawatts. If they are going to make affordable solar cells, they can't pay high electricity costs.

A third of Tennessee's manufacturing jobs are in auto manufacturing. Auto parts suppliers watch their costs, including electricity costs, and if they go up too much they will be making auto parts in Mexico and Japan instead of Tennessee and Michigan.

Last December 10 percent of Nashvillians, even with TVA's relatively low residential electric rates, said they couldn't afford to pay their electric bills.

So let's step back for a moment and ask; What kind of America are we trying to create with this climate-change and energy bill? I suggest we want an America in which we have enough clean, cheap, and reliable energy to create good jobs and run a prosperous industrial and high-tech society. In order to support the American economy that creates about 25 percent of the world's wealth, we need to produce about 25 percent of the world's energy.

We want an America in which we are not creating excessive carbon emissions and running the risk of encouraging global warming.

We want an America with cleaner air—where smog in Los Angeles and in the Great Smoky Mountains is a thing of the past—and where our children are less likely to suffer asthma attacks brought on by breathing pollutants.

We want an America in which we are not creating ''energy sprawl'' by occupying vast tracts of farmlands, deserts, and mountaintops with energy installations that ruin scenic landscapes. The great American outdoors is a revered part of the American character. We have spent a century preserving it. We do not want to destroy the environment in the name of saving the environment.

We want an America in which we create hundreds of thousands of ''green jobs'' but not at the expense of destroying millions of red, white, and blue jobs. It doesn't make any sense to employ people in the renewable energy sector if we are throwing them out of work in manufacturing and the high tech sector.

That is what will happen if these new technologies raise the price of electricity and send manufacturing and other energy-intensive industries overseas searching for clean energy.

We want new, clean, energy-efficient cars, but we want them built in Michigan and Ohio and Tennessee, not Japan and Mexico. We want an America where we are the unquestioned champion in cutting-edge scientific research and lead the world in creating the new technologies of the future. We want an America capable of producing enough of our own energy so we cannot be held hostage by some other energy-producing country. None of those goals are met by Waxman-Markey.

This bill produces a huge new tax on the economy. In addition, it requires 15 percent of our electricity to come from a narrowly defined group of renewable sources defined as wind, solar, geothermal, and biomass. While promising and intriguing, we cannot expect renewable energy to do anything more in the foreseeable future than to supplement our current base load electricity production. It cannot replace it. What the Waxman-Markey bill proves, once again, is that one of government's biggest mistakes is taking a good idea, renewable energy, and expanding it until it does not work anymore.

Republican Senators have a better idea: Produce more American energy and use less.

First, we should build 100 new nuclear reactors over the next 20 years, just as we did from 1970 to 1990. That would double our level of nuclear generation to 40 percent of our electricity. Add 10 percent for Sun and wind and other renewables, another 10 percent for hydroelectric, maybe 5 percent more for natural gas. By 2030, we begin to have a low-cost, low-carbon, clean energy policy that also puts us within sight of meeting the goals of the Kyoto Protocol on global warming.

Step two is to electrify half of our cars and trucks. I think we can do it within 20 years. This should reduce our dependence on foreign oil by one-third, clean the air, and keep fuel prices low. According to estimates by the Brookings Institution scholars, we could do this with the unused nighttime electricity we have today without building one new powerplant.

Step three is to explore offshore for natural gas, which is low carbon, and oil. We should use less but more of our own.

The final step is to double funding for energy research and development and launch mini-Manhattan Projects like the one we had in World War II to meet seven energy challenges: improving batteries for plug-in vehicles, making solar power cost competitive, making carbon capture a reality, safely recycling used nuclear fuel, perfecting advanced biofuels, designing green buildings, and providing energy from nuclear fusion.

Basically, our policy should be to conserve and use our nuclear gas and oil resources until we figure out how to make renewable and alternative energies more reliable and cost competitive.

Instead of following this simple, fourfold, low-cost clean energy strategy, the Obama administration wants to spend tens of billions of dollars covering an area the size of West Virginia with 50-story wind turbines while it squirms uncomfortably at every mention of nuclear power.

According to the San Francisco Chronicle last week:

> The Department of Energy is starting a new partnership with the nation's six largest wind turbine manufacturers in an effort to provide 20 percent of the nation's energy from wind by 2030.

In his inaugural address, the President spoke eloquently of powering the country with the wind, the Sun, and the Earth.

In June, the Wall Street Journal asked Boone Pickens, Amory Lovins, Al Gore, and President Obama how to reduce dependence on foreign oil and contribute less to climate change. These 4 came up with 24 suggestions, from placing veterans in green jobs to generating 20 to 30 percent of electricity by wind, but made not one mention of nuclear power.

Over the next 10 years, the wind industry will receive direct Federal taxpayer subsidies of about $28 billion, according to the congressional Joint Committee on Taxation. Most of this cost is due to the renewable production tax credit that is worth about 3 cents per kilowatt hour to wind developers and costs taxpayers $26 billion. Fully 75 percent of the renewable tax credit goes to wind. Solar, geothermal, biomass, and hydropower combined make up the remaining 25 percent. There will be $1 billion for construction subsidies through clean renewable energy bonds. There will be an investment tax credit for residential and small industrial wind turbines. There will be accelerated depreciation of small wind turbines. Plus, there will be $11 billion

provided by the stimulus for building the ''smart grid'' and new transmission lines. The North American Electric Reliability Corporation tells us the entire U.S. grid needs upgrading, but the transmission projects announced so far will all go to bringing wind and solar electricity from remote places to population centers.

All this does not even mention the Waxman-Markey renewable energy mandate, which will have the practical effect of forcing utilities in many States to buy government-subsidized wind energy they do not necessarily need from far-away States with better wind resources.

Let me give you an example. Between 2000 and 2004, the TVA constructed a 30-megawatt wind farm on Buffalo Mountain in Tennessee at a cost of $60 million. It is the only wind farm in the Southeast. You will read in the papers that having a 30-megawatt wind farm means generating 30 megawatts of electricity. That is only what they call its ''nameplate capacity.'' That is not real output. In practice, Buffalo Mountain has only generated electricity 19 percent of the time since the wind does not blow very much in the Southeast. That means TVA is paying $60 million over 20 years to generate 6 megawatts of electricity. Multiply this out, and you will see it means spending $10 billion to generate 1,000 megawatts, which makes Tennessee's wind mills more expensive than the costliest nuclear reactor.

TVA considers the Buffalo Mountain wind farm to be a failed experiment. In fact, looking for wind power in the Southeast is a little like looking for hydropower in the desert. Nevertheless, Waxman-Markey will now force TVA and every other utility in the country to get at least 12 percent of their electricity from a narrowly defined group of renewable sources. Hydroelectric dams, for example, probably the best source of renewable energy, do not count because—well, I am not sure exactly why. But environmental groups have been opposing them since the 1950s. Nuclear does not count as renewable, either, even though we have plenty of uranium and reprocessing the fuel could stretch it out for hundreds of years. Instead, the TVA is now requesting bids for 1,250 megawatts of renewable power that it does not really need and may not be able to use.

Wind now produces 1.3 percent of America's total electricity and 4.5 percent of our carbon-free clean electricity. Yet, according to the Energy Information Administration, wind turbines are being subsidized at 30 times the rate of all other renewables and 19 times the rate of nuclear power, which, by the way, provides 70 percent of our carbon-free, clean electricity.

So instead of a clean, broad-based energy policy or even a clean, renewable energy policy, what we have in practice is a national windmill policy. But wait a minute. They tell us all this is not really about producing clean, cheap energy; it is about creating green jobs. There are two problems with this argument. First, there must be at least as many welders, mechanics, construction workers, and engineers who would be employed in building 100 new nuclear plants during the next 20 years as in all the so-called renewable energies together. Second, while there may be hundreds of thousands of green jobs, there are tens of millions of red, white, and blue jobs in America that will be quickly lost because of rising energy prices.

Let's look at California. The Golden State has been imposing renewable energy mandates for years. It has not built a base load coal or nuclear plant in 20 years. Meanwhile, it has built renewables, renewables, and renewables, with plenty of expensive natural gas to back them up. All of this contributed mightily to the California electricity shortage of the year 2000. Now the State has the highest electricity prices in the continental United States west of Washington, DC. Manufacturers are leaving in droves. Even Google and Yahoo are building their server farms elsewhere. With all of this job loss, the State had an 11.9-percent unemployment rate in July and, until recently, a $28 billion budget gap. Its bond rating is now the lowest of the 50 States.

I cannot believe the high cost of electricity in California has not contributed to all of this. Has this tempered the State's enthusiasm for expensive renewable energy? Apparently not. California lawmakers are developing legislation to increase the current 20 percent renewable standard to 33 percent by 2020. State energy agencies have concluded it could cost $114 billion or more to meet the 33 percent mandate, more than double what the original 20 percent requirement cost. That comes to $3,000 per Californian.

Yet, according to the Wall Street Journal's news page on July 3 of this year:

> The state auditor warned this week that the electricity sector poses a ''high risk'' to the state economy. A staff report from the state energy commission also warns that California can find itself uncomfortably tight on power by 2011 if problems continue to pile up.
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> Utilities complain that the ambitious renewable-energy mandates, combined with tougher environmental regulations on conventional plants, are compromising their ability to deliver adequate power. ''Conflicting state policies are a problem,'' said Stewart Hemphill, senior vice president of procurement at Southern California Edison.

Renewable energy is intriguing and it is useful. But today it is 4 percent of our electricity. It has many challenges. What many people forget is that wind and solar energy is only available, on average, about one-third of the time. And electricity today cannot be stored in commercial quantities with current technologies; you either use it or you lose it.

When you see 1,000 megawatts of wind and solar power reported in the newspaper, remember it is only about 300 megawatts because these sources only produce electricity about one-third of the time, compared to American nuclear plants producing electricity 90 percent of the time.

Denmark, with the world's biggest percentage of wind power, claims to get 20 percent of its electricity from wind. Yet it still produces 47 percent of its power with coal and imports more than 25 percent of its electricity from Sweden and Germany. Moreover, it is not clear that its carbon emissions have decreased at all over the last 10 years. Worse yet, because of wind variability, Denmark must export almost half of its wind power to Germany and then import nuclear and hydropower back from Germany, Sweden, and Norway.

Then there is what conservation groups are calling energy sprawl and which we are only beginning to come to grips with. One nuclear plant generates 1,000 megawatts and occupies 1 square mile. One big solar thermal plant with giant mirrors generating the same 1,000 megawatts in the western desert will occupy 30 square miles. That is more than 5 miles on a side. To generate the same 1,000 megawatts with wind, you would need 270 square miles of 50-story wind turbines. That is an area more than four times the size of Washington, DC, or that is an unbroken line of turbines along our ridgetops from Johnson City, TN, to Harrisburg, PA. If wind farms move offshore, you would need to line the entire 127-mile New Jersey coast with windmills 2 miles deep just to replace one nuclear reactor that sits on a square mile.

We have not even talked about when these wind farms outlive their useful life cycle of 20 years or so. Who is responsible for their removal? We have already seen this problem in Hawaii and Altamonte Pass in California. The developers should be required to put up bonds to ensure these turbines are taken down in case the developers walk away.

For those of us in the Southeast where the wind blows less than 20 percent of the time, they say use biomass, which means burning wood products in sort of a controlled bonfire. That is a good idea as far as it goes. It might conserve resources and reduce forest fires, but we would need a forest 1½ times the size of the 550,000-acre Great Smoky Mountain National Park to feed a 1,000-megawatt biomass plant on a sustained basis. It would take hundreds of trucks each day to deliver the wood to the biomass plant. It is hard for me to see how this reduces carbon emissions.

Already we are beginning to see the problems. Boone Pickens, who said wind turbines are too ugly to put on his own ranch, recently postponed what was to be America's largest wind farm because of the difficulty of building transmission lines from west Texas to population centers. The Sacramento Municipal Utility District pulled out of another huge project to bring wind energy from Sierra Nevada for the same

reasons. The transmission lines were meeting too much opposition, particularly from environmentalists.

We hope renewable energy can be reliable and low cost enough to supplement, but when we are talking about using wind energy as a substitute for base load energy, we haven't thought about what it is going to look like in practice.

In conclusion, let's take a look at the true source of base load electricity, nuclear power. Nuclear power already produces 20 percent of our electricity and 70 percent of our carbon-free electricity. It is so profitable, there is enough to pay back construction loans and still have low rates. For example, TVA's Brown's Ferry will be repaid in 3 years not 10 as had been expected. Nuclear power receives very little in the way of Federal subsidies. All 100 plants built between 1970 and 1990 were built with private funds. The Price-Anderson insurance program for nuclear plants has never paid a penny of taxpayer money in insurance claims.

There are other myths surrounding nuclear power besides subsidies. We need to dispel those. Nuclear opponents claim we don't know what to do with the fuel. That is not true. Scientists, including the administration's Nobel Prize winning Secretary of Energy, Dr. CHU, tells us we can store used fuel safely onsite for 40 to 60 years while we work out the best way to recycle the used fuel.

We can't wait any longer to start building our future with clean, reliable, and affordable energy. The time has come for action. We can revive America's industrial and high-tech economy with the technology we already have at hand. The only requirement is that we open our minds to the possibilities and potential of nuclear power. As we do, our policy of cheap and clean energy based on nuclear power, electric cars, offshore exploration, and doubling the energy research and development will help family budgets and create jobs. It will also prove to be the fastest way to increase American energy independence, to clean the air, and to reduce global warming.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Ms. KLOBUCHAR. Mr. President, I will be speaking about health care, but I did want to note, I was listening to my colleague and friend from Tennessee. I have invited him before, but in Minnesota we think our wind turbines are so beautiful, we have opened a bed and breakfast near Pipestone. Come, stay overnight, and wake up in the morning and look at a wind turbine. I guess it is all in the eye of the beholder. We are excited about the power that wind has brought to our State.

I wish to address the very important issue of health care. I first want to commend my colleague who is here with me today, Senator CANTWELL, for her commitment to passing a proconsumer health care bill that is focused on reducing cost so that it makes health care more affordable to all people.

I rise to speak about an issue that is an economic imperative—true reform in the way we pay for health care. If we don't act, costs will continue to skyrocket. The country spent $2.4 trillion on health care last year alone; that is, $1 out of every $6 spent in the economy was spent on health care. By 2018, national health care spending is expected to reach $4.4 trillion, over 20 percent of our entire economy. These costs are breaking the backs of our families and businesses. Premiums have doubled in just the last 10 years.

We can see from this chart, in 1999, single coverage and family coverage. For single coverage in 1999, the premium was $2,196, the premium an individual would pay. Now it is up to $4,704. A family in 1999 paid $5,791. Now they are paying $12,680, a doubling of the premiums for families. All of the statistics, all the studies show if we don't do anything, if we just put our heads in the sand, we will see a doubling of those premiums again.

A recent study by the Council of Economic Advisers found that small businesses pay up to 18 percent more than large businesses to provide health care insurance for their employees, often forcing these businesses to lay off employees or cut back on coverage.

I met with farmers today. I have met with cattle ranchers. I met with people who are farming and trying their best—self-employed. I have met with a small business up in northern Minnesota in Two Harbors called Branite Gear, a backpack company. They make fine backpacks for our troops. Do you know how much the owner of that company now pays for health care for his family of four: $24,000. He said he now employs 15 people. If he would have known this back 15 years ago, when he started that company, he wouldn't have started it then. He is proud of that company, but his small business cannot afford to pay this kind of money.

These costs are also breaking the backs of American taxpayers. At the current rate of spending, Medicare, such a crucial program for our seniors, a safety net, something they must have, is scheduled to be in the red by the year 2017. So those people who are 55 years old and want to have Medicare should care about cost reform. If you are 65 years old and you plan to live a great life until you are 95 or 100, you should care about a strong Medicare that isn't going in the red.

A recent Congressional Budget Office estimate shows that the majority of the projected $344 billion increase in Federal revenues in 2010 are scheduled to go automatically to cover the rising cost of health care. To put it simply, my bottom line for health care reform is that we must get our money's worth from our health care dollars. Right now that is not happening.

With 92 percent of our population covered, Minnesota is fortunate to have one of the highest coverage rates of health insurance in the country. Part of that is we have very good health care. We have a lot of nonprofit health care insurance agencies. We also have Minnesota Care which extends coverage to so many of our people who can't afford it. As any Minnesota family or business knows, the price of health insurance coverage has been going up faster than almost anything else, much faster than wages. People are worried about the stability of their coverage. That is where I have found unity between Democrats, Republicans, and independents. People want stability. They don't want to be thrown off because their kid gets sick. They want coverage, and they want their kid to have coverage. If they change jobs, they want to keep their coverage, and they also want more affordable health care.

I have been pressing Senate colleagues and the administration to make sure we have reform that results in more affordable and more accessible health care coverage. The problem is, we are paying too much. We are not getting a good return all the time on what we pay. The solution must be to get the best value for our health care dollars; otherwise, costs will continue to wreak havoc on the budgets of government, businesses, and individual families.

The root of the problem is that most health care is purchased on a fee-for-service basis so more tests and more surgeries mean more money. Oftentimes those surgeries and tests are completely unwarranted. We want quality, and we want outcome to be the measure of good health care. Quantity, not quality, is what pays right now.

According to researchers at Dartmouth Medical School, nearly $700 billion per year is wasted on unnecessary or ineffective health care. That is 30 percent of total health care spending.

My favorite story is about an HMO in the southwestern part of the United States that said: Let's look at a better way to treat diabetes. Instead of having people trying to get in to see their doctors, we will have them seen by nurses and nurse practitioners, and we will have it overseen by two endocrinologists. They actually saw health care professionals more often and quality went up. Costs went down. And guess what. They got reimbursed less for that system because of the way our current system rewards quantity over quality.

This chart says $50 billion. The reason it says $50 billion is that an independent study from Dartmouth looked at how Mayo Clinic, one of our premier health care institutions, treats chronically ill patients in their last 4 years

of life. Quality is incredibly high. What they looked at was the Mayo protocol; if we use that in hospitals all over the country, how much would we save? You would think it would cost more because it is higher quality. You would actually save $50 billion in taxpayer money every 5 years just for this set group of patients, if the Mayo protocol was followed, because they have integrated care. They work as a team, and they are careful and do what the patient wants. They put the patient in the driver's seat.

In Minnesota we have several examples of this coordinated, outcome-oriented system, not just the Mayo Clinic but also St. Mary's in Duluth and Health Partners that has done some groundbreaking work with diabetes. As this chart shows, on spending per patient, just using the Mayo protocol for chronically ill patients, $50 billion would be saved every 5 years.

To begin reining in costs we need to have all health care providers aiming for high-quality, cost-effective results. We must take significant steps to ensure that Medicare remains available for future generations. I want to be able to get Medicare and so do those people who are 65. To do that, we have to make the system efficient and cost-effective with the highest quality. Let's reduce those hospital readmissions, have less infections in the hospitals. Let's put those kinds of Mayo quality standards in place like we see at the Cleveland Clinic and other places across the country.

These policy changes are important steps to make sure Medicare is paying for the outcome of treatment, not the number of treatments.

We have seen basic outlines from the Finance Committee bill, but we haven't seen it yet. I support the committee's efforts to develop a national program on payment bundling. In too many places, patients must struggle against a fragmented delivery system where providers duplicate services and sometimes work at cross-purposes. To better reward and encourage this collaboration, we need to have better coordination of care and less incentive to bill Medicare purely by volume. Increasing the bundling of services in Medicare's payment system has the potential to deliver savings and start encouraging quality integrated care.

When it comes to improving care, changing who pays the doctor isn't as much the issue right now, when we are looking at improved care, as it is changing that payment system.

The lesson of high-quality, efficient States such as Minnesota is that someone has to be responsible for the care of the patient from start to finish. Bundling will help encourage hospitals, doctors, and post-acute care providers to achieve savings for the Medicare Program through increased collaboration and improved coordination.

One of the interesting things I don't think people always know about is, they say: If we save money, will that mean worse care? The answer actually is no. It is the opposite.

Does higher spending equal better care? In fact, when we look across the country, higher spending does not equal better care. In fact, it is the opposite. Here we have a chart that shows the highest quality care in the country with the lowest utilization, where they are most cost efficient.

Maybe you know your doctor well. You go to the specialist they refer you to so you are not running around with your x-ray to 15 different specialists not knowing who is better. Look at this: highest utilization has the lowest quality care.

Research has shown moving toward a better integrated and coordinated delivery system would save Medicare alone up to $100 billion per year. Because Medicare is the single largest purchaser of health care, linking payment to quality outcomes is essential to improve health care outcomes for everyone.

We must also stop paying for care that doesn't result in quality results. Reducing preventable hospital readmissions—and I am hopeful this will be in the Senate bill—is vital to curbing the wasteful health care spending plaguing our national budget. In one year, hospital readmissions cost Medicare $17.4 billion. A 2007 report by MedPAC found that Medicare paid an average of $7,200 per readmission that was likely preventable. Who wants to go back in the hospital? I don't think anyone wants to go back in the hospital. So not only are we getting lower quality care because certain quality parameters are not met, we are also spending more money for it.

I am encouraged that the Finance Committee's outline includes a provision that calls for reduced payments to hospitals for preventable readmissions. We know there are some readmissions that are going to happen. It happens all the time—preventable readmissions. Paying for quality results also means reducing hospital-acquired infections. We should not have to pay for an infection that comes as a result of a hospital stay itself. No one wants to get an extra infection in a hospital, and there are vast differences among hospitals in those infection rates. So let's put those quality protocols in place.

Third, we need to better reward integrated care systems. At places such as the Mayo Clinic, a patient's overall care is managed by a primary care physician in coordination with specialists, nurses, and other care providers as needed. It is one-stop shopping.

It reminds me of a football team. We do not have 10 wide receivers running around, running into each other, just like we would not have 10 specialists in health care. We have one quarterback who is a primary care physician, and then we have a team that works together. That is what we want to encourage in the health care system to save money.

To better reward and encourage this collaboration, we need to encourage the creation of accountable care organizations. These are groups of providers that work together, as they do in Minnesota, to deliver quality, coordinated care to patients. We want to put incentives in that reward this kind of care.

The President stood before his health care summit and asked: Why should Minnesota be punished when it rewards, when it creates this kind of good, high-efficient care? The sad thing is, right now it is because when we just base pay on volume and we do not pay any attention to what the results are or what the infection rates are or what the readmission rates are, we are not getting that kind of quality care people deserve.

The last thing I want to focus on is something Senator CANTWELL, who will be speaking after me, and I have been so focused on right now; that is, putting some kind of quality index in place. The proposal here is to move us toward a system that links quality to cost. Right now, we do not have that in place. I believe we need to do more in the finance bill than we even have in the House bill to get this value index in place. This is a bill I have introduced.

Senator CANTWELL is one of the lead sponsors, as well as Senator GREGG of New Hampshire.

The indexing will help regulate overutilization because those who produce more volume will need to also improve care or the increased volume will negatively impact fees.

This legislation will authorize the Health and Human Services Secretary to create a value index as part of the formula used to determine Medicare's fee schedule.

By adding a value index, our bill uses cost measures that are structured to allow areas with justifiably higher costs—and we know there are different costs around the country—to compete on an equal playing field with lower cost areas. Rewarding value in this way would give physicians a financial incentive to maximize the quality of their services instead of the quantity.

Linking rewards to outcomes creates the incentive for physicians and hospitals to work together to improve quality and efficiency. This proposal would also work in tandem with other proposals—like those being advocated by others and those I have mentioned today, the coordinated, integrated care, the bundling, and other ways—to improve the Medicare payment system.

We know there are also other ways, and I will end with just mentioning these—that we can improve efficiency in health care spending: One, as a former prosecutor, I care a lot about this, to reduce Medicare fraud. Law enforcement authorities estimate that health care fraud costs taxpayers and costs those seniors on Medicare more than $60 billion every year. This is as much as 20 percent of total Medicare spending. There are ways, and we have some bills that have already been introduced, to greatly reduce this.

Secondly, something the President raised in his speech before Congress is this idea of looking at malpractice reform. I can tell you, in Minnesota, in 2006, we had the lowest malpractice premiums in the Nation. Areas like ours, with more efficient care, tend to have lower malpractice premiums, and that is what our doctors want.

One of the things we have is a certificate of merit system that has been implemented in a number of States and goes hand in hand with efficient care, requiring a medical expert to sign off on any complaint, and it has worked.

We need to reform our health care system. I am so proud to be in the Chamber with my colleague, Senator CANTWELL, a member of the Finance Committee, who has been, day to day, night by night, advocating for this kind of reform. We want our seniors to stay on Medicare and have the kind of safety net they deserve. We want people who are 55 years old to be able to get Medicare when they are the age to get Medicare. The way we do this is by actually increasing quality and decreasing costs.

We do this in the State of Minnesota. We know we can do it in other places of the country. I plead with my colleagues on the Finance Committee that we have to look at the long-term costs if we are going to bring reform. We have outlined some ways to do this today. We look forward to working with people from all over the country. But this has to be a major element of reform.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Washington.

Ms. CANTWELL. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Thank you, Madam President.

Madam President, I rise to talk about the health care reform bill and the most urgent need to make sure we have provider reform as part of the insurance reform package.

I thank the Senator from Minnesota for her leadership on this issue. She has hit the ground running when it comes to the issue of health care reform, advocating for changes in policy and introducing legislation at the beginning of this year called the value index legislation. I am proud to be a sponsor of that legislation and proud we have worked together so diligently to try to communicate why this is so important for America.

Clearly, Minnesota has had good results and is leading our country in the kinds of health care practices we need to adopt. Senator KLOBUCHAR has been able to put that into legislation and to champion that legislation and to work on the floor organizing colleagues from like States to communicate this issue.

I am happy to be joining her in the letter we are sending to our Senate leadership and to the President of 1the United States talking about why it is so important to get these reforms adopted.

So I thank her for being out here this evening to communicate this important public policy area, and, again, for having Minnesota be front and center in this debate.

What we are trying to address is an urgent problem; that is, the Medicare system, basically—if we do nothing—is going to go broke. It is doubling in its cost to the Federal Government.

We are talking about reform. We are talking about adding more people. So if we look at Medicare spending and where we are today and the amount we are going to see in the future, we know we are quickly growing that number—from 2009 to 2015—to be over $1.2 trillion. So the cost of this—of Medicare doubling over 10 years—is something we know as a country we cannot sustain.

Without health care reform—without even the discussion of adding the uninsured—we know we cannot sustain the doubling of Medicare in the next 10 years. So we need to change the system.

We know what the cause of this crisis is, too. There are many elements to health care and health care costs, but we know from the many hearings and testimony we have had from experts that the fee-for-service system is driving up the cost of health care. Fee for service rewards providers for the quantity of services they provide without regard to whether those services benefit the patient.

I ask my colleagues if they have ever experienced this situation I am about to describe because I know many Americans will tell you this is exactly what they have experienced. Have you ever asked yourself why your physician, while you are in the middle of a health care appointment, seems so hurried? Have you ever asked yourself why the doctor seems so hurried to go to the next appointment?

Well, the reason is because that is the way we pay doctors. We pay doctors by the number of patients they see and the number of procedures they order. So the system we have today actually creates an incentive for doctors to spend as little time with each patient as possible.

If we think about that, if we think about where our health care system is today, how is that good for delivering outcomes? How is that good for making sure the patient gets the best care?

I want to make sure I am clear. This is not the fault of the doctors. They are just following the rules of the game as it is being played today. Indeed, many physician organizations are advocating the changes in organizational structure that the Senator from Minnesota and I are advocating. They understand it is a daunting task to reform health care. But in this case, they know the problem is simple enough to grasp. All we have to do is follow the money, and what we see in both private insurance and Medicare is that we are routinely paying for duplicative or inefficient care. Then the cost of Medicare and the cost eventually to taxpayers skyrockets.

So if we look at the fee-for-service model, it is pretty clear. It is a feedback loop. In business, in technology we call this a positive feedback loop because it just feeds each other because we have more use, we order more tests, we have more duplication of services, and we have more spending, and the cycle just keeps going and it keeps perpetrating itself. The end result is, we just keep adding costs to our system.

Nowhere is there an outcome that is judged here, nor is there a value to the patient. It is a fee for service that just generates more spending. We cannot emphasize that enough because the current system promotes an overutilization of what are scarce health care dollars and resources.

As one national study shows, there is an estimated $700 billion a year in wasted health care dollars. That is health care spending that may not even be—certainly it is wasted dollars. Some people have said it can even do harm in the way the money is spent.

So we are out here today advocating for a different model. We are out here saying it is good to talk about insurance reform, but if Medicare is one in every five health care dollars and Medicare is driving health care spending, it is also driving expensive health insurance. So if we have expensive fee-for-service Medicare that is helping to waste precious Medicare dollars, you bet it is also driving expensive health insurance.

The good news is, we already know there is a viable alternative. The reason we know that is because we know there are States such as Washington and Minnesota and many others across the country that have put some of these new practices into place. We know they are working in the real world. In some parts of the country, we have reforms that have reversed these trends and they have cut costs and they have put the emphasis where it belongs.

The bottom line is, they put the patient first. Imagine that: putting the patient first—not the number of procedures ordered, not the number of people seen, but putting the patient first by making sure we are focusing on their outcomes.

These States and parts of the country have done this by organizing a delivery of care system so the doctors can take the time with their patients, and they can take the lead in coordinating their care. Patients in these delivery systems get better access to their physicians, they experience shorter waiting times, they benefit from coordinated care that is provided by their primary care physician and other health care individuals, and the health care outcomes are better.

In fact, if we look at some of these States, and we look at some of the individual criteria, who in America

would not like shorter waiting times to get to see the health care provider they need to see or better access to doctors or to have one doctor coordinate with their other health care providers their specific needs and treatments and to guarantee better outcomes?

On this chart is data from the Robert Wood Johnson Foundation from 2008 of what we get when we put a coordinated care delivery system in place and we integrate the care of the individual in the delivery system. So this kind of delivery system is good for individuals, but it is also good for the taxpayer because not only does the patient benefit, we cut down on the bureaucracy and that $700 billion of wasteful spending I talked about a few minutes ago.

So I believe every part of the country ought to take heed of this phenomenal result and the fact that, as my colleague from Minnesota said, we could save the taxpayers over $100 billion a year if we made this change to coordinated care across the country.

When Medicare is structured in a way that it encourages better quality and more efficient care, we will also see the price in private insurance go down as well because the cost of correlation of Medicare driving private insurance is there.

So my colleagues who come from States that have more expensive Medicare might think that is somewhat of a benefit, but I guarantee it is also driving more expensive private insurance and your citizens are not getting the best care. This Robert Wood Johnson Foundation study proves that. If we were looking at other States, all these checkmarks on the cost and utilization would be high.

So we know the health care debate puts us at a crossroads. It puts us at a crossroads about what we are going to do about our current health care system. We can either fix these problems or we can exacerbate it and make it worse. We all want to help the uninsured in America, but to add more people to this health care system, to cover more people under health care without changing the way we pay for Medicare is going to explode the Federal deficit. So we want to make sure we don't exacerbate this problem.

As the Senator from Minnesota said, her home State has implemented these things. So has Washington State. We know that where health care costs are managed efficiently, we are producing great results. But we know the gap between these reimbursement rates in other areas of the country is still leaving us with inefficient delivery systems, and we know that for our States, we are delivering efficient care. If you continue to have inefficient systems in other parts of the country that pay more but are less efficient and don't deliver patients better care, you are going to continue to have health care practitioners migrate to those areas. That is why fixing the health care system but not addressing this issue is not a real solution for us because we cannot continue to see people from Washington and Minnesota and other places migrate to high-cost, high-paid doctor States, with no guaranteeing of better outcomes but certainly more pay for physicians.

We know the fee-for-service model is bleeding our country, and we know we need to make changes to that. We need to have a quality care system. So that is why I joined Senator KLOBUCHAR at the beginning of the year in introducing legislation for a value index and that is why we have been fighting in the Finance Committee to add these kinds of reforms to the system. I am very proud the Finance Committee is looking at insurance reform, to ban practices such as excluding individuals just because they have a preexisting condition, but provider reform in how Medicare is delivered is as crucial to delivering a good health care system in America. We are advocating that we have a health care system that puts the patient first, that puts them in the focus of how physicians get paid.

We do this specifically by striking a blow against fee for service and replacing it with a model that allows physicians to spend more time with their patients, to better coordinate their care, to provide them with preventive care for the future, and to make sure they are getting the quality of care they deserve. As one of my constituents came into my office to talk about this said: I don't want to be medicated, I want to be cured. What she meant is don't just write me a prescription and tell me to go away; I want you to focus on my specific health care needs. That is what so many people think about our health care system. At a time when we do have advances in new technologies and preventive care and wellness, that can get our consumers focusing on their own health care needs.

So our proposal changes the current payment incentive structure by using a new value index to measure the quality and efficiency of service. And only by replacing the fee-for-service system with this new value index will we start to control health care costs. According to testimony before the Senate Finance Committee, this is where we are going to get our biggest savings in health care cost reduction. The fee-for-service system, as one of the witnesses said, is the most broken part of Medicare. Under the value index system that we are proposing, the Federal Government would do much better and taxpayers would do much better in making sure we do not see that doubling of Medicare rates.

That is why my colleagues and I are sending a letter—and I see my colleague from Washington on the floor, Senator MURRAY, who several years ago introduced the MediFair legislation; legislation that said we have to have fairness in the way Medicare dollars are spent around the country. We can't continue to incent areas of good practice while we are warning areas of inefficient care, and she has been a champion behind this issue for many years. So I appreciate her being on the floor because I know she cares passionately about this issue as well. I guess that is the point.

Those of us who are from these regions are tired of providing efficient, coordinated care and not—I think the Presiding Officer is from one of those States. You can't believe the frustration we have of going to community after community, knowing we provide better outcomes, knowing we provide better care, knowing people have made it work on the lowest margins possible. Yet people are leaving our States because they can go make a better buck somewhere else off the inefficient health care system we are delivering. It would be one thing if they could make that quicker buck by going to some State and they were saying: You know what. We are more expensive, but we deliver more care. That is not what the Robert Wood Johnson Foundation says. It says they don't deliver better care. If you can imagine, if you have that fee-for-service model, where you are spending more and ordering more and out of time and so you order all that, how are you getting the best outcomes? You are throwing a lot of money at it, but you are not focusing on what is the real quality of care to deliver to that patient.

I know my colleagues on the Finance Committee are trying to focus on health care reforms for the overall system. There are various proposals that I am sure we will see tomorrow as this draft legislation comes out talking about value-based reforms for hospitals and pilot programs for certain regions and accountable care organizations which can help, in the long run, drive down costs by having global health care budgets. But I would say to my colleagues we cannot just have tweaks to this system. We can't just have pilot programs. We can't just gently turn the wheel of the Titanic and think it is going to avoid the catastrophe we are going to see if we don't reform Medicare.

So we will be working hard in the next couple weeks. As I said, we are sending a letter to the President and to the leadership here that it is time to fix this system; that we have the opportunity to have a 21st century health care delivery system, with all the great information and all the great technology that is out there, but this system can't keep rewarding insurance companies by 435 percent annual profits just because our whole system is set up to order more. Because this isn't about paying for volume. The point is not to pay for volume; it is to pay for value. We want to make sure we are paying for that value and not just the fee-for-service volume system that currently doesn't put patients first in America.

So we will be working hard to get these implemented so we can support this health care legislation.

I thank the President and I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENT NO. 2366, AS MODIFIED

Mr. LAUTENBERG. Madam President, I seek recognition because in front of us we have a proposal I think could be very damaging to our country. An amendment has been proposed that I consider unnecessary and potentially dangerous which is being offered by the Senator from Mississippi, Mr. WICKER.

What we are finding is that there is a challenge to whether Amtrak can continue to operate after the 1st of October. It has been modified, but initially it would propose a ban put on Amtrak's operations unless guns can be carried in baggage on Amtrak trains. While that is an issue that could be discussed—think about it: Amtrak carries 28 million people in a year, and Amtrak produces far less toxic emissions and is much more energy efficient. We have been delinquent for so many years in investing in good railroading. In this advanced country, in this, the richest country in the world, no matter what our economic condition is, it is incomprehensible for that kind of a choice to be put forward: Either you carry guns in our trains—in your baggage on our trains or else we shut down the railroad.

It is preposterous when you think of the services that are offered, not just directly on the Amtrak trains but on the Amtrak tracks where, in many States, it is also used by commuting services. It would cripple the functioning of our country. It is outrageous that, at this point in time, when we have worked so hard to generate funding for Amtrak to improve the service, to bring it up to the 21st century, and it is suggested that maybe we ought to shut it down because we have a disagreement about whether guns can be carried in baggage on railroad cars.

This amendment now has moved the time period to discontinuing the service in March. Well, I don't know what the value of that is, very frankly. If that kind of a threat hangs over us, do we continue to invest billions of dollars? Do we try to get private investors to buy Amtrak bonds? I don't think so, not when we face a threat such as that.

Last fall, this Chamber voted overwhelmingly, 74 to 24, to reauthorize Amtrak and modernize our Nation's passenger rail system and, oddly enough, the Senator from Mississippi voted for this legislation. Amtrak has made much progress because of that new law, but the amendment on the floor would undo all that.

The Wicker amendment, as I said earlier, would completely shut down our Nation's passenger rail service. That is hardly a thing to do when our infrastructure is so severely degraded because of a far greater use than we ever expected. I wish to be clear. This amendment would hardly give Amtrak any time before it might be required to start allowing firearms to be carried on its trains. At this moment, Amtrak will tell you they don't have the means to carry these guns securely and safely.

Senator WICKER noted in 2004 Amtrak made a decision to stop transporting guns in the name of security. Why did it happen in 2004? I remind those who can hear that it was September 11, 2001, and the terrorist attacks in Madrid which reminded us that railroad travel organizations are an attractive target for terrorist attacks.

Amtrak determined it lacked the ability to securely transport checked firearms. It is a decision that was not casually made.

I wish to be able to work with the Senator from Mississippi and Amtrak to see if we can develop a reasonable plan so that passengers can safely and reasonably transport guns in checked bags on Amtrak train. I don't agree with it, but I am happy to discuss it, in deference to Senator WICKER. When you think of what Amtrak means in our country, I remind you that on September 11, when the World Trade Center came crashing down, taking with it almost 3,000 lives, the only way you could get there on that day, and a couple days thereafter, was by train, by Amtrak. Aviation was shut down across the country and in much of the world. Highways were jammed beyond effective use. But Amtrak was there to help. And to say that our security doesn't raise the issue of whether we can transport guns on Amtrak—that doesn't make sense to me.

If Senator WICKER's amendment is adopted, all Amtrak trains across the country, and those that use Amtrak's tracks, could come to a complete halt in a matter of months.

It is outrageous to propose something this crippling over an issue that can be resolved. Yet, the Wicker amendment threatens to leave us with no passenger rail service in America. We cannot afford to sabotage our passenger train service to meet this crazy timetable—and I say crazy. When you think about it, for years, we fought to get Amtrak standing as it should be, the principal rail service in a country like ours. Amtrak was created in 1970, taken out of private hands and put into government hands as a quasi-government corporation. We are spending $1.5 billion a year to bring Amtrak up to current standards. The Recovery Act included $8 billion for high-speed rail, plus the President's budget called for a billion dollars annually for 5 years. By comparison, foreign governments—in 2005, France's national railway agency got $8.3 billion in government spending. I said it was $1½ billion in America, and France spent $8.3 billion. Why? Because it is efficient. It reduces toxic emissions and the dependency on foreign oil. Germany spent about $9 billion annually on passenger rail service. Spain has a plan to spend $150 billion on rail from 2005 to 2020, or an average of $10 billion a year. And we are trying to play catchup now.

Since 1971, a total of $33 billion has been spent on Amtrak. That is almost 40 years, averaging less than a billion dollars a year, as we see what other countries have done. Ridership on Amtrak, in 1988, was 21 million. In 2008, it was 28 million. People are turning to Amtrak because they know it is a very respectable way to travel, if it is available to you.

So when we look at that and see that the growth of ridership is so substantial, that tells us we ought to figure out ways to do things differently. When we look at the whole picture, frankly, it brings a lot of concern when you think of the demand for Amtrak services. Amtrak, in the last year, had 28 million riders. For instance, New York City, the financial center of the world and the country, is dependent on the functioning of that financial system. We saw what happened when it almost broke down in these last months. In an average day in New York City, more people travel through New York's Penn Station than John F. Kennedy Airport, LaGuardia, and Liberty Airport put together on the same day. Penn Station—more people travel through there than all three of those airports in a day. And unless guns are permitted to be put aboard a train, we should shut down Amtrak? We should punish the American people because we cannot have guns travel on Amtrak trains? This cannot be justified by any stretch of the imagination.

Also, we fail to look at something else. When we put people on Amtrak, we free up room in the skyways and on the highways. I cannot tell you how often I often fly between here and New Jersey, my home State, and I have had a pilot say welcome aboard such-and-such airline, and we will be departing soon for a 45-minute flight to Newark Liberty Airport. We get on the plane, the doors close, and they move us away from the gate, and the pilot gets on and says: We just learned that in the New York area we have a 2-hour delay, so we sat there looking at one another crossly. Everybody was angry and upset. If I had taken Amtrak—I came down yesterday in just over 2½ hours. What a difference. Very often, airplane trips less than 250 miles are the slowest means of travel because of the delays from airport to airport, and because of weather, et cetera. There are hardly any highways that I travel in the country, as my colleagues do—no matter what city you go to, if it is during particular hours, you cannot get there from here.

I have been in the Senate now for 25 years. When I first came to Washington, the ride from where I live was about a 12-minute ride. Now, in the evening, I can wait a half an hour while red lights change to green and traffic doesn't move. Go by rail. We see what happens in a reasonable facsimile, when you look at the Metro, a very successful operation here in Washington, DC. People want the convenience, the reliability, and they don't worry about the weather. It makes us feel better about our time spent. We get home with the family, and we get

to work on time, and we get to the doctor, and other places you have to go on a regular basis.

I hope my colleagues in the Senate will look at this and say it could be an important issue for some people—certainly, for some particular interest. Typically, it is the NRA pushing this interest, but discounting that, people have a right to vote. But I plead with my colleagues, please, don't punish the American people, or the American economy, and don't take the chance for that disruption, and don't diminish our ability for rapid movement if we have to in a moment of threat.

I hope the vote will say if you want to have this discussion, let's have it, but don't put a sword hanging over the head of Amtrak.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. REID. Mr. President, what is the status of the floor?

The PRESIDING OFFICER. The Senate is considering H.R. 3288.

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m. tomorrow, September 16, the Senate resume consideration of H.R. 3288 and Senator COBURN be recognized for up to 30 minutes and that Senator MURRAY be recognized for up to 10 minutes; that upon the use or yielding back of that time as has been specified, the Senate proceed to vote in relation to the amendments in the order listed below, with no second-degree amendment in order to any of the listed amendments prior to a vote in relation thereto; that prior to each vote there be 2 minutes of debate, equally divided and controlled in the usual form; that after the first vote in any sequence the succeeding votes be limited to 10 minutes each: Coburn amendment No. 2374; Coburn amendment No. 2377; Coburn amendment No. 2371; Coburn amendment No. 2370; Coburn amendment No. 2372; Wicker amendment No. 2366, as modified; and Vitter amendment No. 2376.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I am going to send to the desk—I think it is already there—cloture motions on the substitute amendment and on the bill. I am certainly hopeful that cloture will not be necessary. Senator MURRAY is a wonderful manager. She does great work. She is working to come up with an agreement that will provide for consideration of other amendments to the bill, but we have not been able to get consent. I hope we can.

We have just entered into an agreement which will provide for votes in relation to seven pending amendments. There are at least two pending amendments that will not require rollcall votes. Maybe some of the others won't. Members should expect up to five rollcall votes tomorrow morning starting around 11:30.

CLOTURE MOTION

Mr. President, I have at the desk a cloture motion on the substitute amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee-reported substitute amendment to H.R. 3288, the Transportation, HUD and Related Agencies Appropriations Act for Fiscal Year 2010.

Harry Reid, Byron L. Dorgan, Mary L. Landrieu, Jon Tester, Patty Murray, Jack Reed, Daniel K. Inouye, Richard J. Durbin, Mark Udall, Bernard Sanders, Patrick J. Leahy, Ben Nelson, Frank R. Lautenberg, Michael F. Bennet, Tom Udall, Blanche L. Lincoln, Herb Kohl.

CLOTURE MOTION

Mr. REID. Mr. President, I have at the desk a cloture motion on the bill.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 3288, the Transportation, HUD, and Related Agencies Appropriations Act for Fiscal Year 2010.

Patty Murray, Daniel K. Inouye, Al Franken, Jon Tester, Benjamin L. Cardin, John D. Rockefeller, IV, Charles E. Schumer, Mark Begich, Mary L. Landrieu, Mark Udall, Byron L. Dorgan, Frank R. Lautenberg, Robert Menendez, Patrick J. Leahy, Dianne Feinstein, Barbara A. Mikulski, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent the mandatory quorum as required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION

Mr. REID. Mr. President, I rise today to call attention to the upcoming anniversary of the signing of the Constitution of the United States of America. September 17, 1787, will mark the 222nd year that has passed since that final meeting in Independence Hall, when 39 delegates supported the adoption of the Constitution.

Beginning on May 25, 1787, 55 delegates gathered almost daily in the State House in Philadelphia to revise the Articles of Confederation. By the middle of June, it became apparent to the delegates that merely amending of the Articles of Confederation would not suffice. These inspired men worked together to form a new government that would embody the principals of liberty, democracy, and equality. What resulted was an entirely new document designed to bind the individual States more firmly into one nation by ceding greater power to the central government while still respecting the sovereignty of the States and the rights of the people. After being signed in September of 1787, Congress sent printed copies of the Constitution to the State legislatures for ratification. By June 21, 1788, nine States had approved the Constitution, finally forming ''a more perfect Union.''

The Constitution of the United States of America stands today as our Nation's most sacred and inspired document. It is the oldest Constitution in the world and an enduring legacy of a generation of patriots eager to provide liberty and protection to the citizens of this new country. The Constitution is the basis for our laws, our rights, and our responsibilities as Americans. It is a gift for which we all should be grateful. As President Coolidge once remarked, ''To live under the American Constitution is the greatest political privilege that was ever accorded to the human race.''

As our country continues to age, year by year, the importance of the Constitution will never fade. It is a living document, and is as relevant now as it was to its framers in the 18th century. I call upon my colleagues in the Senate to join me in celebrating the signing of the Constitution, and in turn, the assurance of our freedoms as citizens of the United States of America.

CELEBRATION OF CARBON DAY

Mr. DURBIN. Mr. President, this year, the State of Illinois has designated September 15, 2009, as Carbon Day. As an official State holiday, communities across the State are encouraged to focus on reducing our State's carbon footprint and preserving our environment. Schools, organizations, businesses, and communities throughout Illinois will participate in organized events ranging from tree plantings to those promoting recycling and composting.

Carbon Day allows Illinois residents to find their own ways to help reduce greenhouse gas emissions and participate in the fight against global warming. Most of us don't think too much about how our daily activities contribute to greenhouse gases. This new State holiday asks people to think about that and offers ideas each of us can use to make a difference.

We do need to act. Global warming likely will lead to more severe heat waves and more fierce storms. That affects all of us. These are weather patterns that compromise air and water quality, reduce agricultural productivity, and threaten public health.

The simple step of planting a tree this fall can make a difference in someone's carbon footprint. One tree alone can absorb as much carbon dioxide as a single car can produce over 26,000 miles of driving. The more trees we plant, the greater the impact. One acre of trees may remove up to 2.6 tons of carbon dioxide from the atmosphere in 1 year alone. Trees planted in the fall generally require less water than those planted in the spring, making this a good time to get started.

Every person can contribute to reducing greenhouse gas emissions and work to provide future generations with a healthy environment. This September 15, I urge the people of Illinois to participate in Carbon Day events throughout the State, learn about the simple steps they can take to reduce their carbon footprint, and have a lasting impact on their environment.

REMEMBERING SENATOR EDWARD M. KENNEDY

Ms. SNOWE. Mr. President, I join with my colleagues today to express my profound and heartfelt sadness on the passing of Senator Edward M. Kennedy, a universally acknowledged ''lion of this institution''—an unsurpassed colleague, a legislator's legislator, and political icon of incalculable, landmark significance to the U.S. Senate and the Nation and a good friend to me and to so many others in this body through the years.

Like all of my colleagues here today, I want to first and foremost offer my most sincere condolences to Ted's extraordinary wife Vicki, who has been such a tower of strength, courage, and faith; as well as to Ted's three children Kara, Ted, Jr., and PATRICK KENNEDY and two stepchildren Curran and Caroline Raclin; Ted's sister, Jean Kennedy Smith, and to his entire family who have done so much to shape the course of our Nation. My heart goes out to Senator Kennedy's numerous grandchildren, nieces, and nephews whose participation in his funeral mass could not have been more moving. I also extend my deepest sympathies to the people of Massachusetts, who have lost a legendary champion and fierce advocate for nearly half a century.

And how powerful and poignant was the remarkable outpouring of respect and affection for Senator Kennedy by the American people—from the streets of Boston, outside the John F. Kennedy Presidential Library and Museum, and near the Basilica of Our Lady of Perpetual Help, to congressional staff assembled on the Senate steps and mourners and well-wishers on the Capitol grounds or along the route to his final resting place at Arlington National Cemetery.

On an occasion of such a large and historic loss, summoning the appropriate words to capture the immense depth and breadth of this moment as well as the magnitude of its meaning represents the most daunting of challenges. Like every Senator fortunate enough to serve in this esteemed chamber during the span of the last 46 years, I have never known a Senate without Ted Kennedy, and it is difficult to comprehend that this hallowed Chamber will never again resound with Senator Kennedy's booming voice that would literally shake these walls.

As I look around this Chamber, I know I am far from alone in saying I will miss Ted's oratorical command of rhetoric and argumentation as well as his passion-filled gestures that punctuated his statements, and of course I will never forget those occasions when Ted would really get wound up as only Ted could, and his glasses would come off, and he would swing them around and around, faster and faster as his polemic reached a crescendo. And so, there is a highly personal and inescapable void among all of us that is at once acutely palpable, indescribable, and unforgettable.

I can still remember entering the Senate in 1995 having served in the U.S. House of Representatives and looking to my fellow New Englander, Senator Kennedy, as a model legislator, the best of his generation even then, for what can be achieved in the Senate with passion and devotion and an almost peerless ability to simply ''get things done.''

I always profoundly admired Ted for his commitment to this country and the steadfast, immutable determination he exhibited each and every day as he sought to better our Nation to the benefit not just of his constituents in Massachusetts but to all Americans. And he did so with uncommon civility and candor, facility and efficacy, partisanship and bipartisanship, as well as the most seriousness of purpose and irrepressible good humor. In short, Ted Kennedy combined legislative craftsmanship and legendary statesmanship that were the marvel of his time and that represented a pinnacle of leadership.

And part and parcel of his historic and overarching legacy is not just the results produced by his hard-fought labors, which have reached every corner of our country, but how he legislated and conducted the demanding task of advancing the public policy process. Where there was a divide, he saw an opportunity to repair the breach. Where there were opposing forces, he resolved to find a point of alliance.

As my colleagues here can attest, Senator Kennedy was ever-cognizant that your adversary today could, and frankly often would be, your ally tomorrow—the staunch opponent you encounter on one occasion may well support you on another down the road. Because for Ted, common ground was not simply a plot of earth he tilled, cultivated, or nourished, it was soil he intuitively knew was meant to be shared and that would be improved through collaboration. And he understood keenly that the most powerful light was not the spotlight, but reflected light that shone first on someone else.

And if Ted Kennedy put into practice the idea that politics in the often-cited words of German Chancellor Bismarck was indeed ''the art of the possible,'' he was also equally adept at implementing the notion that leadership was the catalyst for accomplishing the impossible. Not, however, by going it alone but rather by enlisting the active support of others.

The fact is, like so many of my colleagues in this Chamber, I was privileged to work with Senator Kennedy on several memorable measures, and one recent endeavor in particular exemplifies his collaborative spirit—the Genetic Information Nondiscrimination Act. That experience for me represented a microcosm of Ted's unrivaled political and public policy acumen.

To begin with, Senator Kennedy, as chairman of the Senate Committee on Health, Education, Labor, and Pensions or HELP, ordinarily would have been the lead sponsor on legislation being reported out of his committee. But, as all of us in this Chamber know, there was nothing ''ordinary'' about Ted Kennedy, and he graciously deferred the lead sponsorship to me and instead joined as lead Democratic sponsor of our measure, a gesture of incredible generosity and good will that I will never forget. And so, after already twice garnering Senate passage, we began a third attempt to achieve Senate enactment of vital reforms to protect Americans from both health insurance and workplace discrimination based on their genetic makeup. Beginning in November of 2006, we embarked on what was to be a second 18-month-long effort to systematically address every issue which opponents raised. Senator Kennedy's remarkable capacity to build consensus with both his colleagues and stakeholders, spoke to his consummate skills as a legislator and negotiator.

And Ted never tired in this undertaking, and his knowledge and skills and those of his superb and dedicated staff helped ensure our success when, on May 21 of last year, we at last witnessed the enactment into law of this landmark civil rights protection. Our victory was tempered, however, by the fact that due to his illness, even then, Ted could not join us at the White House that day for the signing. And yet it speaks enormous volumes that Senator Kennedy chose to devote his remaining energies in the past 15 months prior to his passing to ensuring that health reform advance ever forward.

As anyone who has come into contact with Ted Kennedy can tell you, he possessed and exuded a contagious joy and exuberance that permeated all he did. I well recall a few years ago being in

Boston for a Base Closure and Realignment—BRAC—Commission hearing, and we were waiting for an elevator. As many in this Chamber will recall, this was a very anxious and uncertain period for a number of us. But I will always remember seeing the elevator doors open and who should appear but Ted Kennedy, alongside a large group of his constituents, fighting the closure of a facility in Massachusetts. And without missing a beat, he roared with his sonorous voice: ''You go fight them Olympia with everything you've got!'' The whole crowd with him cheered.

That moment reflected so much of what Ted exemplified, encompassed, and meant to so many, and he approached his causes with a ferocity of spirit and feeling that was unmatched. It is true, as all of us in this institution know all too well, if Ted Kennedy were opposite you in a debate, and sometimes I was, it could be rough going and you had better be prepared! But if he were with you, let's just say your chances for victory increased exponentially!

And Ted never lost that gusto—not in legislating and not in life. Who could forget witnessing Ted throwing out the first pitch for New England's beloved Boston Red Sox at this year's home opener at Fenway Park? Or his zeal for his beloved Massachusetts or, for that matter, the Maine coast which he loved so much where he sailed every summer. Indeed, one year he and Vicki visited an inn near our family place at Hancock Point. And I will always remember the excitement and anticipation he exhibited as he showed me his map of the journey he and Vicki were preparing to undertake, sailing along the beautiful Maine coastline.

As my colleagues know above all, this greatest of deliberative bodies has lost a giant and a legislative standard-bearer who was tirelessly devoted to its history, its stewardship, and its purpose, and his ardor and love for this most august institution and the Nation it serves will never be extinguished. Senator Kennedy now ranks among a rarefied, pantheon of legendary Senators such as Daniel Webster and Henry Clay. He was, to evoke the title of the Pulitzer-Prize winning book by his brother, John, truly a ''profile in courage.''

The great American poet, Carl Sandburg, once wrote: ''I see America not in the setting sun of night . . . I see America in the crimson light of a rising sun. I see great days ahead, great days possible to men and women of will and vision.'' Those days are indeed possible for this Senate, this Congress, and our country precisely because of the indefatigable will and limitless vision of public servants such as Senator Ted Kennedy. We honor his memory and his legacy best by striving every day to make this process work for the U.S. Senate and for the American people.

And what Maine's own Henry Wadsworth Longfellow penned about another Senator from Massachusetts, Charles Sumner, we say today about Senator Kennedy:

So when a great man dies,
For years beyond our ken,
The light he leaves behind him lies
Upon the paths of men.

So it will forever be with Senator Edward M. Kennedy. We will not see his like again. He will be sorely missed.

15TH ANNIVERSARY OF THE VIOLENCE AGAINST WOMEN ACT

Mr. LEAHY. Mr. President, this week we celebrate the 15th anniversary of the Violence Against Women Act, VAWA, one of our most powerful tools to combat domestic violence and other crimes perpetrated against women and families.

The enactment of the Violence Against Women Act in 1994 marked an important national commitment to survivors of domestic violence and sexual assault. This landmark legislation filled a void in Federal law that left many victims without the help they needed. In commemorating this milestone, I would like to recognize the leadership of Vice President JOE BIDEN. His dedication to eliminating violence against women and families was vital to our success in passing the original legislation and subsequent reauthorizations. I am proud to have worked with him on this important matter for nearly two decades.

As a prosecutor in Vermont earlier in my career, I witnessed the devastating impact of domestic violence and sexual assault. I saw how it affects people from all walks of life, regardless of gender, race, culture, age, class or sexuality. Our Nation has made remarkable progress since that time in recognizing that domestic violence and sexual assault are crimes, and we have responded with better laws, social support, and coordinated community resources.

Since the Violence Against Women Act became law, domestic violence reporting rates by women have increased by as much as 50 percent, and reporting rates by men have risen by 37 percent. At the same time, the number of individuals killed by an intimate partner has decreased by 24 percent for women and 48 percent for men. These are huge improvements, and we should be proud of the work we have accomplished together. There is, of course, more work to be done. Millions of women, men, children, and families continue to be traumatized by abuse, leading to increased rates of crime, violence and suffering.

Earlier this year, I chaired a Judiciary Committee hearing on the ongoing importance of VAWA. We heard from individuals around the country who shared with us the impact the law has had on their lives and the continuing need to strengthen it. We have been hearing for some time about important steps we can take to enhance VAWA, which is why at the beginning of this year I introduced the Improving Assistance to Domestic and Sexual Violence Victims Act of 2009, a bill to make several needed corrections and improvements to VAWA. Among other important changes, this bill would bolster privacy protections for victims of domestic violence and offer greater help in rural and tribal areas. These improvements would ensure that the law is as effective and strong as it was intended to be and that it meets the needs of those it seeks to protect. We were able to report this bill from the Judiciary Committee in May but with an amendment that has complicated further progress.

On this 15th anniversary, it is important that we pause to celebrate what we have accomplished. There is no doubt we have made great strides in reducing domestic violence and sexual assault, but we know more work remains to be done. I look forward to working together with other Senators, the Obama-Biden administration, and experts in the field to ensure that VAWA remains a vital resource for prosecutors, law enforcement agencies, victim service providers, and, most importantly, the women and families who are threatened with violence and abuse.

GLENNS FERRY CENTENNIAL CELEBRATION

Mr. RISCH. Mr. President, I rise today to congratulate and acknowledge the 100th anniversary of the founding of the city of Glenns Ferry, ID. On September 26, 2009, the citizens of Glenns Ferry will gather in the high school gymnasium to commemorate the 100th year of its founding. This is a very historic and special day for this community.

Glenns Ferry boasts a colorful Western heritage as one of the most famous river crossings on the Oregon Trail. Pioneers would ford the Snake River at the Three Island Crossing until 1869 when Gustavus ''Gus'' Glenn constructed a ferry roughly 2 miles upstream. Gus's ferry would cut-off nearly 20 miles from the Southern Oregon Trail route, as it carried two wagons at a time across the river.

In 1870, Gus's brother Oliver S. Glenn—known as O.S.—joined him in operating the ferry and together they ran it successfully until 1876. In 1871, the town site was platted just downstream from the ferry site and a community started to grow from the desert.

In 1883, this area was inundated by a force of tracklayers whose duty it was to lay the tracks of the Oregon Short Line railroad. The tracklayers camp required 23 saloons and a dance hall. With the establishment of a post office and the appointment of O.S. Glenn as postmaster, the site required a formal name. And what more suitable a name than ''Glenns Ferry'' in recognition of the enormous contributions made by the Glenn family.

The coming of the railroad caused the eventual discontinuation of the

ferry service in approximately 1889. Although Glenn's Ferry was abandoned, the name was not, but was instead given to the city, which was incorporated in October of 1909.

Since that time, Glenns Ferry has developed into a prosperous community along interstate 84 and has retained its historical western roots while incorporating new business and development. In 1971, the Three Island State Park was developed with campgrounds, cabins and a history center. Each August for the past 25 years, the park joined with the city of Glenns Ferry to reenact the crossing just like the pioneers in the 1800s prior to the ferry's development. Last month marked the last reenactment of the dangerous river crossing, but the annual festival will continue in celebration of the city's heritage.

The economic backbone of Glenns Ferry is agriculture. Elmore County grows a wide variety of crops and animals—cattle, alfalfa hay, potatoes, grapes, sugarbeets, wheat, barley, and dairy. Glenns Ferry has become known for its award-winning wines at Carmela Vineyards and Cold Springs Winery. Glenns Ferry is also the home of Korey Hall, fullback for the Green Bay Packers and former Boise State University football star.

Glenns Ferry has much to celebrate and look forward to in its next century as it provides important goods and services at home and abroad. Congratulations to the city of Glenns Ferry for 100 years of service and success.

ADDITIONAL STATEMENTS

COMMENDING TOM WALSH

• Mr. BARRASSO. Mr. President, a great man is being honored by the Salvation Army in Casper, WY. Tom Walsh is a patriot, a teacher, a leader, and a friend. It is fitting that the Salvation Army has bestowed upon him this year's Others Award. It is the highest award the local Salvation Army unit bestows for outstanding contributions and impacts in the community.

Born and raised in Thermopolis, WY, Tom attended the University of Wyoming and ultimately received a doctorate from the University of Colorado. How fortunate we are that Tom and his wife Rita chose Casper as the place to live, work, and raise their family.

When one looks around the Casper community, Tom's influence is obvious. He served as mayor and on the Casper City Council. The Casper Chamber of Commerce also benefited from his guidance. Our world-famous drum and bugle corps, the Casper Troopers, have been the recipients of his time, talent, and generosity. The list goes on and on.

Tom had a distinguished career in the Wyoming Legislature. He was effective in passing legislation to improve our community and our State, particularly in the areas of education, county libraries, tort reform, community colleges, and substance abuse. Some of the efforts he is most proud of include the Business Ready Communities Program and the Veterans Property Tax Exemption Program. Tom resigned his service as a State representative due to his battle with leukemia—a battle he is fighting with distinction and tenacity.

Though Tom's great achievements are numerous, I know he is particularly proud of his role as an Army Reserve ambassador. In this position, Tom provided extraordinary support to our soldiers and their families while stationed on the frontlines in the global war on terrorism. Tom went far above the duties of an Army Reserve ambassador. He used his position as a State legislator to successfully sponsor a bill to make it easier for Wyoming families to cope while their breadwinner is off to war. The bill created a $5 million trust fund, used to help qualifying families with special financial needs. The bill that passed into Wyoming law during the 57th Wyoming Legislature demonstrates the public's concern for and commitment to our Reserve members and their families as they adjust to the new reality of modern war. For his efforts, he received the Patrick Henry Award from the National Guard Association.

Mr. President, join me in sending our congratulations and thanks to Tom Walsh. Receiving the Others Award from the Casper Salvation Army is a fitting tribute to this fine American.•

COMMENDING REAR ADMIRAL CHRISTINE M. BRUZEK-KOHLER

• Mr. INOUYE. Mr. President, I would like to recognize a great American and a dedicated naval officer who has diligently served for the past 35 years and most recently served as the Director, Navy Nurse Corps. Admiral Bruzek-Kohler, a native of Camden, New Jersey, entered the Navy in 1974 after earning her Bachelor of Science in Nursing from Villanova University. Admiral Bruzek-Kohler served in many nursing roles, obtained her master's and doctoral degrees, and was selected to serve in many distinguished senior health executive assignments including executive officer, commanding officer, and now regional commander and commander. However, the most rewarding role of her career was serving as the 21st Director Navy Nurse Corps, where she led more than 4100 Active-Duty and Reserve nurses to advance the role and relevance of nursing in the military and throughout our Nation. With visionary leadership, she championed initiatives that successfully increased nurse recruitment and retention through accession and specialty pay bonuses, loan repayment programs, and educational opportunities to both military and Federal civilian nurses. Seeing firsthand the physical and psychological wounds of war borne by our young servicemembers and their families, Admiral Bruzek-Kohler spearheaded nursing operational readiness improvements to include clinical sustainment policies and the expansion of mental health nurse specialists and mental health nurse practitioners within the Nurse Corps.

Admiral Bruzek-Kohler served with passion and conviction and profoundly impacted Federal nursing issues within the Navy and our nation. Her performance reflects exceptionally on herself, the U.S. Navy, the Department of Defense, and the United States of America. I extend my deepest appreciation to Admiral Bruzek-Kohler on behalf of a grateful nation for her years of dedicated service to the Navy Nurse Corps.•

COMMENDING FORT VALLEY STATE UNIVERSITY

• Mr. ISAKSON. Mr. President, I wish to honor in the RECORD of the Senate Fort Valley State University in Fort Valley, GA, and the schools leadership team, headed by its great president and alumnus, Dr. Larry E. Rivers.

This fall, more than 1,500 new freshmen have started classes at Fort Valley State University, making their mark on their very first day as the largest incoming freshman class in the schools history. This large freshmen class allowed the school to exceed the enrollment goal set by Dr. Rivers. In fact, total enrollment has doubled since Dr. Rivers arrival at Fort Valley State University in 2006.

The 2010 edition of Americas Best Colleges by U.S. News Media Group listed Fort Valley State University as No. 21 among historically Black colleges and universities. FVSU is listed among first-tier schools such as Spelman College, Howard University, and Morehouse College.

Due to these great achievements by FVSU, the school is expanding at a rapid pace. A new $9 million stadium opened on August 29, 2009, to start the Wildcat football season. In addition, plans for 2010 include a $16.7 million science building and a $6 million student amenities building. Other plans for the future include a Family Development Center and the expansion of the Stallworth Agricultural Research Building to add additional laboratory space. The Georgia Board of Regents also recently approved new FVSU College of Education programs, including agriculture education 6–12, special education general curriculum/early childhood education P–5, middle grades education 4–8, and school counselor. The board of regents also approved online bachelors degree programs in political science, psychology and English—Technical English and professional writing—and offsite programs in criminal justice, business administration, and an online criminal justice franchise.

It is also evident through the school's community outreach efforts that the young people who attend Fort

Valley State University are putting the skills they learn in the classroom to even greater use in the surrounding community and are learning to make a positive difference in the lives of others.

I am pleased to acknowledge the great work that is done each day at Fort Valley State University, and I appreciate the vision of Dr. Rivers and his team to ensure students receive the highest quality education possible.●

RECOGNIZING HOWARD HIGH SCHOOL OF TECHNOLOGY

● Mr. KAUFMAN. Mr. President, I wish to honor Howard High School of Technology in Wilmington, which is celebrating its 140th anniversary this month. This institution was the only high school for African Americans in my home State of Delaware until the 1920s and played an important role in the historic Supreme Court case Brown v. Board of Education.

Howard High School was founded in 1869 as a four-room elementary school, which eventually began to graduate high school students in 1893. Today, the school boasts 860 students in grades 9 through 12. Graduates earn both a high school diploma and a certificate of competency in one of 13 programs. Howard was a Blue Ribbon school in 1997 and 1999 as a result of its students' academic success. It has also been a National Service Learning Leader School since 2000, receiving grants to engage students in service activities linked to academic achievement and civic responsibility.

In April 2005, Howard High School was designated as a national landmark because of its significance in the 1954 Brown v. Board of Education case, which struck down the ''separate but equal'' doctrine and ended the segregation of public schools. Howard graduate Louis Redding worked with a team of lawyers, led by Thurgood Marshall, to win the landmark ruling. Delaware's specific case, Belton v. Gebhart, challenged the inferior conditions of two schools designated for African-American children. In the suburb of Claymont, African-American children were prohibited from attending the area's local high school. Instead, they had to ride a school bus for nearly an hour to attend Howard High.

I congratulate Howard High School of Technology on its anniversary and wish its students, teachers, and administrators much success as it continues to serve as one of Wilmington's preeminent schools, open to all and fostering achievement in a number of academic fields.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:46 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 59. Concurrent resolution supporting the goals and ideals of senior caregiving and affordability.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 59. Concurrent resolution supporting the goals and ideals of senior caregiving and affordability; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2916. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; State Waters Exemption'' (RIN0648–AX54) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2917. 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; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XQ72) as received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2918. 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 Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XQ76) as received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2919. 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; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 1, No. 2, and No. 3'' (RIN0648–XQ50) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2920. 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; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XR04) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2921. 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; Northern Rockfish in the Gulf of Alaska'' (RIN0648–XQ26) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2922. 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 ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Limited Access General Category Scallop Fishery to Individual Fishing Quota Scallop Vessels'' (RIN0648–XQ36) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2923. 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; Coastal Pelagic Species Fisheries; Closure'' (RIN0648–XQ35) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2924. 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; Atka Mackerel Lottery in Areas 542 and 543'' (RIN0648–XQ93) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2925. 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 Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Total Allowable Catch (TAC) Harvested for Loligo Squid Trimester II'' (RIN0648–XQ73) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2926. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Digital Flight Data

Recorder Regulations for Boeing 737 Airplanes and for All Part 125 Airplanes'' (RIN2120–AG87) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2927. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Activation of Ice Protection'' (RIN2120–AI90) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2928. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Standards; Fire Protection'' (RIN2120–AJ04) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2929. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment, Revision, and Removal of Area Navigation (RNAV) Routes; Alaska'' ((RIN2120–AA66) (8–10/8–11/0926/AAL–24)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2930. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of VOR Federal Airway—329; Alabama–Florida'' ((RIN2120–AA66) (8–10/8–11/0229/ASO–13)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2931. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Plentywood, Montana'' ((RIN2120–AA66) (8–10/8–11/0025/ANM–4)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2932. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ironwood, Michigan'' ((RIN2120–AA66) (7–30/7–30/0052/AGL–1)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2933. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Monee, Illinois'' ((RIN2120–AA66) (7–30/7–30/1314/AGL–21)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2934. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Iowa Falls, Iowa'' ((RIN2120–AA66) (7–31/1272/ACE–4)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2935. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International Inc. TPE331–10 and TPE331–11 Series Turboprop Engines'' ((RIN2120–AA64) (8–17/8–18/0555/NE–18)) received in the Office of the President of the Senate on September 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2936. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Ten Sleep, Wyoming)'' (MB Docket No. 08–242) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2937. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Santa Fe, New Mexico'' ((DA 09–1757) (MB Docket No. 09–110)) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2938. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Colorado Springs, Colorado'' ((DA 09–1758) (MB Docket No. 09–111)) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2939. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Fond du Lac, Wisconsin'' ((DA 09–1794) (MB Docket No. 09–115)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2940. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dulac, Louisiana)'' ((RM–11513) (MB Docket No. 09–18)) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2941. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment Section 73.202(b), Table of Allotments, FM Broadcast Stations (Waverly, Alabama)'' ((MB Docket No. 09–54) (RM–11520)) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2942. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the Department of the Navy converting to contract the administrative management and correspondence functions currently being performed by six (6) military personnel of the Fleet Air Reconnaissance Squadron Seven (VQ–7), located at Tinker Air Force Base, Oklahoma; to the Committee on Armed Services.

EC–2943. A communication from the Acting Deputy Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report entitled ''Department of Defense Report to Congress on Commercial Software Reuse Preference, Section 803 of Public Law 110–417''; to the Committee on Armed Services.

EC–2944. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Defining 'Small Number of Animals' for Minor Use Designation'' ((Docket No. FDA–2008–N–0176) (RIN0910–AG03)) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2945. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Advisory Committee; Tobacco Products Scientific Advisory Committee; Establishment'' (Docket No. FDA–2009–N–0381) received in the Office of the President of the Senate in September 8, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2946. A communication from the Chief of the Planning and Regulatory Affairs Branch, Supplemental Foods Programs Division, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Implementation of Nondiscretionary WIC Certifications and General Administrative Provisions'' (RIN0584–AD73) received in the Office of the President of the Senate on September 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2947. A communication from the Administrator of Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon and Imported Irish Potatoes; Relaxation of Size Requirements'' ((Docket No. AMS–FV–08–0062) (FV08–945–1 FR)) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2948. A communication from the Administrator of Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2008–09 Crop Natural (Sun-Dried) Seedless Raisins'' ((Docket No. AMS–FV–08–0114) (FV09–989–1 FIR)) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2949. A communication from the Administrator of Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Kiwifruit Grown in California; Change in Reporting Requirements'' ((Docket No. AMS–FV–08–0017) (FV08–920–2 FR)) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2950. A communication from the Administrator of Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled

''Vegetables, Import Regulations; Partial Exemption to the Minimum Grade Requirements for Fresh Tomatoes'' ((Docket No. AMS–FV–08–0097) (FV09–980–1 FR)) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2951. A communication from the Administrator of Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dried Prunes Produced in California; Decreased Assessment Rate'' ((Docket No. AMS–FV–09–0048) (FV09–993–1 IFR)) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2952. A communication from the Administrator of Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Order Amending Marketing Order No. 905'' ((Docket No. AMS–FV–07–0132) (FV08–905–1)) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2953. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Certain End-User Controls under the Export Administration Regulations; Clarification Regarding License Requirements for Transfers (in-country) to Persons Listed on the Entity List'' (RIN0694–AE54) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2954. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Cuba: Revisions to Gift Parcel and Baggage Restrictions, Creation of License Exception for Donated Consumer Communications Devices and Expansion of Licensing Policy Regarding Telecommunications'' (RIN0694–AE60) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2955. A communication from the Special Inspector General for the Troubled Asset Relief Program, transmitting, the Quarterly Report to Congress of the Special Inspector General for the Troubled Asset Relief Programs; to the Committee on Banking, Housing, and Urban Affairs.

EC–2956. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Assistance Regulations'' (RIN1991–AB77) as received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2009; to the Committee on Energy and Natural Resources.

EC–2957. A communication from the Senior Counsel for Regulatory Affairs, Office of Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Payments in Lieu of Low Income Housing Tax Credits'' (RIN1505–AC17) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Finance.

EC–2958. 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 ''Corrections to Rev. Proc. 2009–39 Regarding Taxpayers Before the Joint Committee on Taxation'' (Notice 2009–67) received in the Office of the President of the Senate on September 9, 2009; to the Committee on Finance.

EC–2959. 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 ''Revocation of Elections by Multiemployer Defined Benefit Pension Plans to Freeze Funded Status under Section 204 of WRERA'' (Notice 2009–43) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Finance.

EC–2960. 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 ''Public-Private Investment Partnerships'' (Rev. Proc. 2009–42) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Finance.

EC–2961. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2009 Marginal Production Rates under Section 613A'' (Notice 2009–74) received in the Office of the President of the Senate on September 10, 2009; to the Committee on Finance.

EC–2962. A communication from the Secretary General of the Organization for Security and Co-operation in Europe (OSCE) Parliamentary Assembly, transmitting, a report relative to the Vilnius Declaration of the OSCE Parliamentary Assembly and Resolutions Adopted at the Eighteenth Annual Session; to the Committee on Foreign Relations.

EC–2963. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Charging for Investigational Drugs under an Investigational New Drug Application'' ((Docket No. FDA–2006–N–0237) (RIN0910–AF13)) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–2964. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Expanded Access to Investigational Drugs for Treatment Use'' ((Docket No. FDA–2006–N–0238) (RIN0910–AF14)) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–2965. A communication from the Director, National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, an addendum to the report entitled ''Fiscal Year 2008 Performance Summary Report''; to the Committee on the Judiciary.

EC–2966. A communication from the Deputy General Counsel, Office of Financial Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''American Recovery and Reinvestment Act: 504 Loan Program Debt Refinancing'' (RIN3245–AF91) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Small Business and Entrepreneurship.

EC–2967. A communication from the Deputy General Counsel, Office of Financial Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Investment Companies—Leverage Eligibility and Portfolio Diversification Requirements'' (RIN3245–AF92) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Small Business and Entrepreneurship.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY:

S. 1669. A bill to provide all Medicare beneficiaries with the right to guaranteed issue of a Medicare supplemental policy; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. SESSIONS, Mr. KOHL, Mr. HATCH, and Mr. KYL):

S. 1670. A bill to reform and modernize the limitations on exclusive rights relating to secondary transmissions of certain signals; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself and Mr. SCHUMER):

S. 1671. A bill to enhance the reporting requirements on the status of the Arab League trade boycott of Israel and other trade boycotts of Israel; to the Committee on Finance.

By Mr. REED (for himself, Ms. SNOWE, and Mrs. SHAHEEN):

S. 1672. A bill to reauthorize the National Oilheat Research Alliance Act of 2000; to the Committee on Energy and Natural Resources.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 1673. A bill to amend the Internal Revenue Code of 1986 to encourage charitable contributions of real property for conservation purposes by Native Corporations; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. DODD, Mr. SHELBY, and Mr. INHOFE):

S. 1674. A bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. HARKIN, Mr. KERRY, Mr. DODD, Mr. WYDEN, Mr. MENENDEZ, Ms. STABENOW, Ms. KLOBUCHAR, Mr. CASEY, Mr. FRANKEN, Mr. BROWN, Mr. REED, Mr. SANDERS, Mrs. MURRAY, Mr. MERKLEY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LEAHY, Mr. BEGICH, Mr. LIEBERMAN, Mrs. BOXER, Mrs. MCCASKILL, Mr. AKAKA, Mrs. SHAHEEN, Mr. KAUFMAN, Mr. WEBB, and Mr. TESTER):

S. Res. 266. A resolution recognizing the contributions of John Sweeney to the United States labor movement; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. VOINOVICH, Mr. BENNET, Mrs. HUTCHISON, Mr. BAYH, Mr. FRANKEN, Mr. MENENDEZ, Ms. KLOBUCHAR, and Mrs. BOXER):

S. Res. 267. A resolution supporting the goals and ideals of National Ovarian Cancer Awareness Month; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. REID, Ms. STABENOW, Mr. BINGAMAN, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. BROWN, Mr. CARDIN, Mr. WHITEHOUSE, Mr. KERRY, Ms. MIKULSKI, Mr. LAUTENBERG, Mr. BENNET, Mrs. GILLIBRAND, Mr. NELSON of Florida, Mrs. BOXER, Mr. KAUFMAN, Mr. CORNYN, and Mrs. FEINSTEIN):

S. Res. 268. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and their immense contributions to the Nation; considered and agreed to.

By Mr. MENENDEZ (for himself and Mr. SCHUMER):

S. Con. Res. 39. A concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 305

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 305, a bill to amend title IV of the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 348

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 348, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 451

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 484

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 511

At the request of Mr. TESTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 511, a bill to amend part B of title XVIII of the Social Security Act to provide for an exemption of pharmacies and pharmacists from certain Medicare accreditation requirements in the same manner as such exemption applies to certain professionals.

S. 538

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 538, a bill to increase the recruitment and retention of school counselors, school social workers, and school psychologists by low-income local educational agencies.

S. 599

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 599, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any certain diseases is the result of the performance of such employee's duty.

S. 604

At the request of Mr. SANDERS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 604, a bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 850

At the request of Mr. KERRY, the names of the Senator from Maine (Ms. COLLINS) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson—Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 886

At the request of Mr. NELSON of Florida, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 886, a bill to establish a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in the financial recovery from natural catastrophes.

S. 938

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 938, a bill to require the President to call a White House Conference on Children and Youth in 2010.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 990

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 990, a bill to amend the Richard B. Russell National School Lunch Act to expand access to healthy afterschool meals for school children in working families.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from West Virginia (Mr. BYRD) 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. 1065

At the request of Mr. CASEY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1065, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000, 000 or more in Iran's energy sector, and for other purposes.

S. 1066

At the request of Mr. COCHRAN, his name 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. 1257

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1257, a bill to amend the Social Security Act to build on the aging network to establish long-term services and supports through single-entry point systems, evidence based disease prevention and health promotion programs, and enhanced nursing home diversion programs.

S. 1327

At the request of Mr. JOHNSON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1327, a bill to reauthorize the public and Indian housing drug elimination program of the Department of Housing and Urban Development, and for other purposes.

S. 1340

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1340, a bill to establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

S. 1504

At the request of Mr. SPECTER, the name of the Senator from Wisconsin

(Mr. FEINGOLD) was added as a cosponsor of S. 1504, a bill to provide that Federal courts shall not dismiss complaints under rule 12(b)(6) or (e) of the Federal Rules of Civil Procedure, except under the standards set forth by the Supreme Court of the United States in Conley v. Gibson, 355 U.S. 41 (1957).

S. 1511

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1511, a bill to amend titles XVIII and XIX of the Social Security Act to improve awareness and access to colorectal cancer screening tests under the Medicare and Medicaid programs, and for other purposes.

S. 1547

At the request of Mr. REED, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1547, a bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

S. 1583

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1583, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2014, and for other purposes.

S. 1612

At the request of Mrs. LINCOLN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1612, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 1624

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1624, a bill to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, and for other purposes.

S. 1635

At the request of Mr. DORGAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1635, a bill to establish an Indian Youth telemental health demonstration project, to enhance the provision of mental health care services to Indian youth, to encourage Indian tribes, tribal organizations, and other mental health care providers serving residents of Indian country to obtain the services of predoctoral psychology and psychiatry interns, and for other purposes.

S. 1663

At the request of Mr. BROWN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1663, a bill to make available funds from the Emergency Economic Stabilization Act of 2008 for funding a voluntary employees' beneficiary association with respect to former employees of Delphi Corporation.

S. RES. 263

At the request of Mr. GRASSLEY, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 263, a resolution designating October 2009 as ''National Medicine Abuse Awareness Month''.

AMENDMENT NO. 2361

At the request of Mr. GREGG, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 2361 intended to be proposed to H.R. 3288, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2365

At the request of Ms. LANDRIEU, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of amendment No. 2365 intended to be proposed to H.R. 3288, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY:

S. 1669. A bill to provide all Medicare beneficiaries with the right to guaranteed issue of a Medicare supplemental policy; to the Committee on Finance.

Mr. KERRY. Mr. President, a key component of the health reform debate is ensuring that all people—regardless of their health status—have access to comprehensive and affordable coverage options. Unfortunately, under current law Medicare beneficiaries are subject to discriminatory medical practices that deny coverage options based on their age, condition, or disability.

Medigap plans provide vital assistance to Medicare beneficiaries in paying Medicare cost-sharing. Without supplemental coverage, the absence of an out-of-pocket limit in Medicare leaves beneficiaries vulnerable to catastrophic medical expenses.

Unfortunately, Medicare beneficiaries with disabilities or who have end-stage renal disease, ESRD, do not have the same guaranteed issue rights as Medicare beneficiaries age 65 and older. In the absence of equal opportunity and access to Medigap policies at the Federal level, 29 States have chosen to grant the same rights to disabled and ESRD beneficiaries that seniors currently enjoy.

ESRD beneficiaries are also the only group of Medicare beneficiaries currently denied the same Medicare choices as other Medicare beneficiaries. They are statutorily prohibited from enrolling in Medicare Advantage plans.

Today I am introducing the Equal Access to Medicare Options Act, a bill that improves coverage options to Medicare beneficiaries. First, the legislation would extend guaranteed issue of Medigap policies to all Medicare beneficiaries rather than limiting guaranteed issue to those beneficiaries who are over 65 years of age. This change will significantly improve coverage options and affordability for beneficiaries with disabilities or end-stage renal disease.

Second, the legislation recognizes that Medicare beneficiaries need flexibility to adjust their coverage as changes to their plans are made. More specifically, the legislation would give guaranteed issue rights to Medicare Advantage enrollees if they decide to switch to traditional Medicare during an enrollment period. Today, if a Medicare Advantage enrollee learns of premium increases or benefit reduction in their plan, they have the option of returning to traditional Medicare but they have no assurance they can buy Medigap coverage if they do so.

Third, the legislation would provide guaranteed issue to dual eligibles who lose their Medicaid coverage and find themselves in traditional Medicare without the cost protections of Medicaid and without supplemental coverage options.

Finally, this legislation would for the first time give beneficiaries with end-stage renal disease the option of enrolling in Medicare Advantage plans.

I would like to thank a number of organizations who have been integral to the development of the Equal Access to Medicare Options Act and who have endorsed it today, including the AARP, California Health Advocates, Center for Medicare Advocacy, Consortium for Citizens with Disabilities, Consumers Union, Dialysis Patient Citizens, Fresenius Medical Care, Medicare Rights Center, and the National Kidney Foundation.

These reforms would ensure that all Medicare beneficiaries regardless of their disability or age have equal opportunity and access to affordable Medicare options to reduce out-of-pocket costs. I look forward to working with my colleagues in the Senate to achieve these goals in the context of health care reform.

By Mr. LEAHY (for himself, Mr. SESSIONS, Mr. KOHL, Mr. HATCH, and Mr. KYL):

S. 1670. A bill to reform and modernize the limitations on exclusive rights relating to secondary transmissions of certain signals; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, during the past decade we have witnessed tremendous development in the way video content is made available to consumers. Today, as a result of digital technology, we can watch movies, television programs, and other video not only on our television sets, but also on our computers, phones, and other mobile devices. In order to maximize the potential of digital content, Congress must ensure that our copyright and communications laws are modernized and updated to accommodate the digital revolution. Today, I join with Senators Sessions, KOHL, HATCH, and KYL in introducing the Satellite Television Modernization Act of 2009. Our legislation will reauthorize, modernize, and simplify important portions of the statutory license used by satellite providers that will otherwise expire at the end of this year.

The transition to digital television requires Congress to modernize the statutory copyright licenses that allow cable and satellite providers to retransmit the content of local broadcast stations. In February, many stations across the country, including those in Vermont, made the digital transition and can now offer multiple programming channels over a single, crystal-clear digital signal. In June, the remaining broadcast stations across the country completed the digital transition. The current statutory licenses, however, are based on the now outdated analog standard. In our reauthorization, we seek to ensure that the licenses work properly in the digital world.

In June 2008, the U.S. Copyright Office issued a report on the statutory licenses, and offered recommendations on how to improve the current system. The Copyright Office's principal recommendation was to move toward abolishing the compulsory licenses, in particular the distant signal licenses. Short of that, the Copyright Office offered suggestions on how to harmonize and streamline the licenses.

The legislation we introduce today draws on the recommendations of the Copyright Office and takes important steps toward limiting future reliance on the section 119 distant signal license used by satellite providers. This legislation will move locally oriented elements out of the distant signal license—such as the special exception that allows Vermonters in the State's southern-most counties to receive Vermont broadcast stations by satellite—and place them into the section 122 license, which facilitates the retransmission of local content with the consent of the broadcaster. The bill will also fix an anomaly in the distant signal license, which will make it easier for satellite providers to serve local markets that are missing a network affiliate.

Making these changes will improve the ability of satellite providers to deliver a full complement of network stations to consumers, as well as make it easier for them to offer local stations. In Vermont, these changes will have the additional benefit of fostering competition between DISH Network and DirecTV, by allowing DISH to offer Vermont broadcast stations in southern Vermont, a service DirecTV provides today. The legislation also adds a new provision to the local license that will allow satellite providers such as DISH to import a missing network station from an adjacent market when the local market is not served by all four principle networks, after the provider first obtains the station's consent. This new provision will make it more likely and reasonable for DISH to launch local service in these markets, which is good for local broadcasters, good for satellite providers, and good for consumers.

These changes will not only improve the satellite licenses, but will begin the process of phasing out the distant signal license as satellite providers offer local service in more markets. As the distant signal license fades, Congress should follow the Copyright Office's suggestion and move ultimately toward a market-based system, in which statutory licenses are unnecessary.

One further step we can take toward a marketplace model this year is to allow broadcast stations to opt-out of the statutory licenses. All non-broadcast channels carried by cable and satellite providers, such as ESPN and the USA Network, are able to aggregate a complex series of content rights, and negotiate for carriage in the free market. Local broadcasters should be permitted to do the same if they, too, are able to aggregate the necessary rights to license directly to cable and satellite providers. This is a proposal I expect the Judiciary Committee to examine as the bill moves through the mark up process. I encourage all industry participants to work with the Committee so that we can address any concerns about this market-based approach.

Short of repealing the compulsory licenses, the Copyright Office recommended harmonizing the cable and satellite licenses in order to create regulatory parity between the two industries. The section 111 license used by cable, for instance, is based on FCC rules that have long since been repealed, and the license itself has not been significantly updated since it was established more than 30 years ago. The arcane nature of the cable license can at times produce unintended results, such as cable companies paying copyright holders for content that consumers do not actually receive. This is referred to as the phantom signal problem. In contrast, satellite companies pay a flat, per subscriber rate based on consumers actually receiving a broadcast station. Comprehensive reforms to section 111 that aim to modernize the statute and create regulatory parity between cable and satellite providers would address these disparities. We take a more modest approach in the bill we introduce today. The legislation contains an amendment that will resolve the phantom signal issue. I appreciate that members of the content community and the cable system came together to find a solution on which they can all agree.

The Satellite Television Modernization Act is one component of the reauthorization. Portions of the expiring law are within the jurisdiction of the Senate Committee on Commerce, and I look forward to working with the leadership of that Committee, and our counterparts in the House of Representatives, to enact legislation that once again improves the law by fostering competition, protecting broadcasters, and improving service to 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. 1670

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 ''Satellite Television Modernization Act of 2009''.

SEC. 2. LIMITATIONS ON EXCLUSIVE RIGHTS: SECONDARY TRANSMISSIONS OF SUPERSTATIONS AND NETWORK STATIONS FOR PRIVATE HOME VIEWING.

Section 119 of title 17, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraph (B)''; and

(II) by striking ''(5), (6), (7), and (8)'' and inserting ''(4), (5), (6), and (7)'';

(ii) in subparagraph (B)—

(I) in clause (i), by striking the second sentence; and

(II) in clause (ii)—

(aa) in subclause (I)—

(AA) by striking ''the Individual Location'' and all that follows through ''No. 98–201,'' and inserting ''the predictive digital model established by the Federal Communications Commission,''; and

(BB) by striking ''under section 339(c)(3) of the Communications Act of 1934 (47 U.S.C. 339(c)(3))''; and

(bb) in subclause (II), by striking ''section 339(c)(4) of the Communications Act of 1934 (47 U.S.C. 339(c)(4))'' and inserting ''rules established by the Federal Communications Commission'';

(iii) by striking subparagraph (C);

(iv) by redesignating subparagraph (D) as subparagraph (C); and

(v) in subparagraph (C) (as so redesignated)—

(I) in clause (i), by striking ''network station—'' and all that follows through the period at the end and inserting ''network station a list, aggregated by designated market area (as that term is defined in section 122(j)), identifying (by name and address, including street or rural route number, city, State, and zip code) all subscribers to which the satellite carrier makes secondary transmissions of that primary transmission to subscribers in unserved households.'';

(II) in clause (ii), by striking ''the network—'' and all that follows through the period at the end and inserting ''the network a

list, aggregated by designated market area (as that term is defined in section 122(j)), identifying (by name and address, including street or rural route number, city, State, and zip code) any persons who have been added or dropped as subscribers under clause (i)(I) since the last submission under clause (i).''; and

(III) in clause (iv), at the end of the second sentence, by striking the ending quotation mark and semicolon;

(B) by striking paragraph (3);

(C) by redesignating paragraphs (4) through (14) as paragraphs (3) through (13), respectively;

(D) by amending paragraph (3) (as so redesignated) to read as follows:

''(3) STATUTORY LICENSE WHERE RETRANSMISSIONS INTO LOCAL MARKET AVAILABLE.—

''(A) FUTURE APPLICABILITY.—The statutory license under paragraph (2) shall not apply to the secondary transmission by a satellite carrier of a primary transmission of a network station to a person who—

''(i) is not a subscriber lawfully receiving such secondary transmission as of December 31, 2009; and

''(ii) at the time such person seeks to subscribe to receive such secondary transmission, resides in a local market where the satellite carrier makes available to that person the secondary transmission of the primary transmission of a local network station affiliated with the same television network pursuant to the statutory license under section 122, and such secondary transmission of such primary transmission can reach such person.

''(B) OTHER PROVISIONS NOT AFFECTED.—This paragraph shall not affect the applicability of the statutory license to secondary transmissions to unserved households included under paragraph (11).

''(C) WAIVER.—A subscriber who is denied the secondary transmission of a network station under this paragraph may request a waiver from such denial by submitting a request, through the subscriber's satellite carrier, to the network station in the local market affiliated with the same network where the subscriber is located. The network station shall accept or reject the subscriber's request for a waiver within 30 days after receipt of the request. If the network station fails to accept or reject the subscriber's request for a waiver within that 30-day period, that network station shall be deemed to agree to the waiver request. Unless specifically stated by the network station, a waiver that was granted before the date of the enactment of the Satellite Home Viewer Extension and Reauthorization Act of 2004 under section 339(c)(2) of the Communications Act of 1934 (47 U.S.C. 339(c)(2)) shall not constitute a waiver for purposes of this subparagraph.

''(D) AVAILABLE DEFINED.—For purposes of this paragraph, a satellite carrier makes available a secondary transmission of the primary transmission of a local station to a subscriber or person if the satellite carrier offers that secondary transmission to other subscribers who reside in the same zip code as that subscriber or person.'';

(E) in paragraph (4) (as so redesignated), by striking ''section 509'';

(F) in paragraph (6) (as so redesignated)—

(i) in subparagraph (A)(ii), by striking ''$5'' and inserting ''$250''; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''$250,000'' and inserting ''$2,500,000''; and

(II) in clause (ii), by striking ''$250,000'' and inserting ''$2,500,000''; and

(G) by striking paragraph (15); and

(H) by redesignating paragraph (16) as paragraph (14);

(2) in subsection (b)—

(A) by striking the subsection heading and inserting ''(b) DEPOSITS AND DISTRIBUTION OF ROYALTY FEES.—''; and

(B) in paragraph (1), by striking the matter following subparagraph (B);

(3) by amending subsection (c) to read as follows:

''(c) ADJUSTMENT OF ROYALTY FEES.—

''(1) APPLICABILITY AND DETERMINATION OF ROYALTY FEES.—

''(A) INITIAL FEE.—The appropriate fee for purposes of determining the royalty fee under subsection (b)(1)(B) for the secondary transmission of the primary transmissions of network stations and superstations shall be the appropriate fee set forth in subchapter E of chapter III of title 37, Code of Federal Regulations, as in effect on July 1, 2009, as modified under this paragraph.

''(B) FEE SET BY VOLUNTARY NEGOTIATION.—On or before January 4, 2010, Copyright Royalty Judges shall cause to be published in the Federal Register of the initiation of voluntary negotiation proceedings for the purpose of determining the royalty fee to be paid by satellite carriers for the secondary transmission of the primary transmission of network stations and superstations under subsection (b)(1)(B).

''(C) NEGOTIATIONS.—Satellite carriers, distributors, and copyright owners entitled to royalty fees under this section shall negotiate in good faith in an effort to reach a voluntary agreement or agreements for the payment of royalty fees. Any such satellite carriers, distributors, and copyright owners may at any time negotiate and agree to the royalty fee, and may designate common agents to negotiate, agree to, or pay such fees. If the parties fail to identify common agents, Copyright Royalty Judges shall do so, after requesting recommendations from the parties to the negotiation proceeding. The parties to each negotiation proceeding shall bear the cost thereof.

''(D)(i) AGREEMENTS BINDING ON PARTIES; FILING OF AGREEMENTS; PUBLIC NOTICE.—Voluntary agreements negotiated at any time in accordance with this paragraph shall be binding upon all satellite carriers, distributors, and copyright owners that are parties thereto. Copies of such agreements shall be filed with the Copyright Office within 30 days after execution in accordance with regulations that the Register of Copyrights shall prescribe.

''(ii)(I) Within 10 days after publication in the Federal Register of a notice of the initiation of voluntary negotiation proceedings, parties who have reached a voluntary agreement may request that the royalty fees in that agreement be applied to all satellite carriers, distributors, and copyright owners without convening a proceeding pursuant to subparagraph (F).

''(II) Upon receiving a request under subclause (I), the Copyright Royalty Judges shall immediately provide public notice of the royalty fees from the voluntary agreement and afford parties an opportunity to state that they object to those fees.

''(III) The Copyright Royalty Judges shall adopt the royalty fees from the voluntary agreement for all satellite carriers, distributors, and copyright owners without convening a proceeding unless a party with an intent to participate in the proceeding and a significant interest in the outcome of that proceeding objects under subclause (II).

''(E) PERIOD AGREEMENT IS IN EFFECT.—The obligation to pay the royalty fees established under a voluntary agreement which has been filed with the Copyright Office in accordance with this paragraph shall become effective on the date specified in the agreement, and shall remain in effect until December 31, 2014, or in accordance with the terms of the agreement, whichever is later.

''(F) PROCEEDING TO ESTABLISH ROYALTY FEES.—

''(i) NOTICE OF INITIATION OF PROCEEDINGS; VOLUNTARY AGREEMENTS.—On or before May 3, 2010, the Copyright Royalty Judges shall cause notice to be published in the Federal Register of the initiation of proceedings for the purpose of determining the royalty fee to be paid for the secondary transmission of primary transmission of network stations and superstations under subsection (b)(1)(B) by satellite carriers and distributors—

''(I) in the absence of a voluntary agreement filed in accordance with subparagraph (D) that establishes royalty fees to be paid by all satellite carriers and distributors; or

''(II) if an objection to the fees from a voluntary agreement submitted for adoption by the Copyright Royalty Judges to apply to all satellite carriers, distributors, and copyright owners is received under subparagraph (D) from a party with an intent to participate in the proceeding and a significant interest in the outcome of that proceeding.

Such proceeding shall be conducted as provided under chapter 8 of this title.

''(ii) ESTABLISHMENT OF ROYALTY FEES.—In determining royalty fees under this paragraph, the Copyright Royalty Judges shall establish fees for the secondary transmissions of the primary transmission of network stations and superstations that most clearly represent the fair market value of secondary transmissions, except that the Copyright Royalty Judges shall adjust those fees to account for the obligations of the parties under any applicable voluntary agreement filed with the Copyright Office pursuant to subparagraph (D). In determining the fair market value, the Copyright Royalty Judges shall base their decision on economic, competitive, and programming information presented by the parties, including—

''(I) the competitive environment in which such programming is distributed, the cost of similar signals in similar private and compulsory license marketplaces, and any special features and conditions of the retransmission marketplace;

''(II) the economic impact of such fees on copyright owners and satellite carriers; and

''(III) the impact on the continued availability of secondary transmissions to the public.

''(iii) PERIOD DURING WHICH DECISION OF COPYRIGHT ROYALTY JUDGES EFFECTIVE.—The obligation to pay the royalty fee established under a determination which is made by the Copyright Royalty Judges under this paragraph shall be effective as of January 1, 2010.

''(iv) PERSONS SUBJECT TO ROYALTY FEE.—The royalty fee referred to clause (iii) shall be binding on all satellite carriers, distributors, and copyright owners, who are not party to a voluntary agreement filed with the Copyright Office under subparagraph (D).

''(2) ROYALTY FEE ANNUAL ADJUSTMENT.—The royalty fee payable under subsection (b)(1)(B) for the secondary transmission of the primary transmission of network stations and superstations shall be adjusted annually by the Copyright Royalty Judges to reflect any changes occurring during the preceding 12 months in the cost of living as determined by the most recent Consumer Price Index (for all consumers and items) published by the Secretary of Labor prior to December 1. Notification of the adjusted rates shall be published in the Federal Register prior to December 1 of that year.'';

(4) in subsection (d)—

(A) in paragraph (10)—

(i) by amending subparagraph (A) to read as follows:

''(A)(i) is located in a local market in which there is no primary network station affiliated with such network licensed to a community within such local market; or

''(ii) cannot receive, through the use of a conventional, stationary, outdoor rooftop receiving antenna, an over-the-air signal of a primary network station affiliated with that network that does not exceed the signal intensity standard in section 73.622(e)(1) of title 47 of the Code of Federal Regulations as in effect on January 1, 2010;'';

(ii) in subparagraph (B), by striking ''(a)(14)'' and inserting ''(a)(13)''; and

(iii) in subparagraph (D), by striking ''(a)(12)'' and inserting ''(a)(101'';

(B) in paragraph (11), by striking '', except that'' and all that follows through ''located'';

(C) by striking paragraph (12); and

(D) by redesignating paragraph (13) as paragraph (12); and

(5) by striking subsection (f).

SEC. 3. LIMITATIONS ON EXCLUSIVE RIGHTS: SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS WITHIN LOCAL MARKETS.

Section 122 of title 17, United States Code, is amended—

(1) by amending subsections (a), (b), and (c) to read as follows:

''(a) SECONDARY TRANSMISSIONS OF TELEVISION BROADCAST STATIONS BY SATELLITE CARRIERS.—

''(1) SECONDARY TRANSMISSIONS OF TELEVISION BROADCAST STATIONS WITHIN A LOCAL MARKET.—A secondary transmission of a performance or display of a work embodied in a primary transmission of a television broadcast station into the station's local market shall be subject to statutory licensing under this section if—

''(A) the secondary transmission is made by a satellite carrier to the public;

''(B) with regard to secondary transmissions, the satellite carrier is in compliance with the rules, regulations, or authorizations of the Federal Communications Commission governing the carriage of television broadcast station signals; and

''(C) the satellite carrier makes a direct or indirect charge for the secondary transmission to—

''(i) each subscriber receiving the secondary transmission; or

''(ii) a distributor that has contracted with the satellite carrier for direct or indirect delivery of the secondary transmission to the public.

''(2) SIGNIFICANTLY VIEWED AND LOW POWER STATIONS.—A secondary transmission of a performance or a display of a work embodied in a primary transmission of a television broadcast station or low power television station to subscribers who receive secondary transmissions of primary transmissions under paragraph (1) shall, if the secondary transmission is made by a satellite carrier that complies with the requirements of paragraph (1), be subject to statutory licensing under this paragraph as follows:

''(A) SECONDARY TRANSMISSIONS OF SIGNIFICANTLY VIEWED SIGNALS.—The statutory license shall apply to the secondary transmission of the primary transmission of a network station or a superstation to a subscriber who resides outside the station's local market but within a community in which the signal has been determined by the Federal Communications Commission, to be significantly viewed in such community, pursuant to the rules, regulations, and authorizations of the Federal Communications Commission in effect on April 15, 1976, applicable to determining with respect to a cable system whether signals are significantly viewed in a community.

''(B) CARRIAGE OF LOW POWER TELEVISION STATIONS.——

''(i) IN GENERAL.—The statutory license shall apply to the secondary transmission of the primary transmission of a network station or a superstation that is licensed as a low power television station, to a subscriber who resides within the same local market.

''(ii) NO APPLICABILITY TO REPEATERS AND TRANSLATORS.—Secondary transmissions provided for in subparagraph (A) shall not apply to any low power television station that retransmits the programs and signals of another television station for more than 2 hours each day.

''(3) SPECIAL EXCEPTIONS.—A secondary transmission of a performance or a display of a work embodied in a primary transmission of a television broadcast station to subscribers who receive secondary transmissions of primary transmissions under paragraph (1) shall, if the secondary transmission is made by a satellite carrier that complies with the requirements of paragraph (1), be subject to statutory licensing under this paragraph as follows:

''(A) STATES WITH SINGLE FULL-POWER NETWORK STATION.—In a State in which there is licensed by the Federal Communications Commission a single full-power station that was a network station on January 1, 1995, the statutory license provided for in this paragraph shall apply to the secondary transmission by a satellite carrier of the primary transmission of that station to any subscriber in a community that is located within that State and that is not within the first 50 television markets as listed in the regulations of the Commission as in effect on such date (47 C.F.R. 76.51).

''(B) STATES WITH ALL NETWORK STATIONS AND SUPERSTATIONS IN SAME LOCAL MARKET.—In a State in which all network stations and superstations licensed by the Federal Communications Commission within that State as of January 1, 1995, are assigned to the same local market and that local market does not encompass all counties of that State, the statutory license provided under this paragraph shall apply to the secondary transmission by a satellite carrier of the primary transmissions of such station to all subscribers in the State who reside in a local market that is within the first 50 major television markets as listed in the regulations of the Commission as in effect on such date (section 76.51 of title 47 of the Code of Federal Regulations).

''(C) ADDITIONAL STATIONS.—In the case of that State in which are located 4 counties that—

''(i) on January 1, 2004, were in local markets principally comprised of counties in another State; and

''(ii) had a combined total of 41,340 television households, according to the U.S. Television Household Estimates by Nielsen Media Research for 2004,

the statutory license provided under this paragraph shall apply to secondary transmissions by a satellite carrier to subscribers in any such county of the primary transmissions of any network station located in that State, if the satellite carrier was making such secondary transmissions to any subscribers in that county on January 1, 2004.

''(D) CERTAIN ADDITIONAL STATIONS.—If 2 adjacent counties in a single State are in a local market comprised principally of counties located in another State, the statutory license provided for in this paragraph shall apply to the secondary transmission by a satellite carrier to subscribers in those 2 counties of the primary transmissions of any network station located in the capital of the State in which such 2 counties are located, if—

''(i) the 2 counties are located in a local market that is in the top 100 markets for the year 2003 according to Nielsen Media Research; and

''(ii) the total number of television households in the 2 counties combined did not exceed 10,000 for the year 2003 according to Nielsen Media Research.

''(E) NETWORKS OF NONCOMMERCIAL EDUCATIONAL BROADCAST STATIONS.—In the case of a system of 3 or more noncommercial educational broadcast stations licensed by a single State, political, educational, or special purpose subdivision of a State, or a public agency, the statutory license provided for in this paragraph shall apply to the secondary transmission of that system to any subscriber in any county or county equivalent within that State that is located in a designated market that is not otherwise eligible to receive secondary transmissions of a noncommercial television broadcast station located within that State pursuant to paragraph (1). If a satellite carrier makes secondary transmissions to an adjacent underserved county, local noncommercial educational broadcast stations shall not be repositioned in the channel lineup as a consequence of these retransmissions.

''(4) SHORT MARKETS.—A secondary transmission of a performance of a display of a work embodied in a primary transmission of a television broadcast station to subscribers who receive secondary transmissions of primary transmissions under paragraph (1) shall be subject to statutory licensing under this paragraph if the secondary transmission is of a primary transmission of a network station from a market adjacent to such local market and no station affiliated with such network is licensed to a community within the local market.

''(5) APPLICABILITY OF ROYALTY RATES.—The royalty rates under section 119(b)(1)(B) shall apply to the secondary transmissions to which the statutory license under paragraphs (3) and (4) apply.

''(b) REPORTING REQUIREMENTS.—

''(1) INITIAL LISTS.—A satellite carrier that makes secondary transmissions of a primary transmission made by a network station under subsection (a) shall, within 90 days after commencing such secondary transmissions, submit to the network that owns or is affiliated with the network station—

''(A) a list, aggregated by designated market area (as that term is defined in subsection (j)), identifying (by name in alphabetical order and street address, including county and zip code) all subscribers to which the satellite carrier makes secondary transmissions of that primary transmission under subsection (a); and

''(B) a list, to be prepared and submitted separately from the list required under subparagraph (A), aggregated by designated market area (by name and address, including street or rural route number, city, State, and zip code), which shall indicate those subscribers being served pursuant to paragraphs (2), (3), or (4) of subsection (a).

''(2) SUBSEQUENT LISTS.—After the list is submitted under paragraph (1), the satellite carrier shall, on the 15th of each month, submit to the network—

''(A) a list, aggregated by designated market area (as that term is defined in subsection (j)), identifying (by name in alphabetical order and street address, including county and zip code) any subscribers who have been added or dropped as subscribers since the last submission under this subsection; and

''(B) a list, to be prepared and submitted separately from the list required under subparagraph (A), aggregated by designated market area (by name and street address, including street or rural route number, city, State, and zip code), identifying those subscribers whose service pursuant to paragraphs (2), (3), or (4) of subsection (a) has been added or dropped.

''(3) USE OF SUBSCRIBER INFORMATION.—Subscriber information submitted by a satellite

carrier under this subsection may be used only for the purposes of monitoring compliance by the satellite carrier with this section.

''(4) REQUIREMENTS OF NETWORKS.—The submission requirements of this subsection shall apply to a satellite carrier only if the network to which the submissions are to be made places on file with the Register of Copyrights a document identifying the name and address of the person to whom such submissions are to be made. The Register of Copyrights shall maintain for public inspection a file of all such documents.

''(c) NO ROYALTY FEE REQUIRED FOR CERTAIN SECONDARY TRANSMISSIONS.—A satellite carrier whose secondary transmissions are subject to statutory licensing under paragraphs (1) and (2) of subsection (a) shall have no royalty obligation for such secondary transmissions.'';

(2) in subsection (f)—

(A) in paragraph (1)(B), by striking ''$5'' and inserting ''$250''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''$250,000'' and inserting ''$2,500,000''; and

(ii) in subparagraph (B)(ii), by striking ''$250,000'' and inserting ''$2,500,000'';

(3) in subsection (j)—

(A) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(B) by inserting after paragraph (2) the following new paragraph:

''(3) LOW POWER TELEVISION STATION.—The term 'low power television station' means a low power television as defined under section 74.701(f) of title 47, Code of Federal Regulations, as in effect on June 1, 2004. For purposes of this paragraph, the term 'low power television station' includes a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.''.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

Section 338(a) of the Communications Act of 1934 (47 U.S.C. 338(a)) is amended—

(1) by amending the first paragraph (3) to read as follows:

''(3) CARRIAGE OF LOW POWER, SIGNIFICANTLY VIEWED, AND SPECIAL EXCEPTION STATIONS OPTIONAL.—No station whose signal is provided under paragraph (2) or (3) of section 122(a) of title 17, United States Code, shall be entitled to insist on carriage under this section, regardless of whether the satellite carrier provides secondary transmissions of the primary transmissions of other stations in the same local market pursuant to such section 122, nor shall any such carriage be considered in connection with the requirements of subsection (c) of this section.''; and

(2) by redesignating the second paragraph (3) (relating to effective date) and paragraph (4) as paragraphs (4) and (5), respectively.

SEC. 5. EXTENSION OF AUTHORITY.

Section 4(a) of the Satellite Home Viewer Act of 1994 (17 U.S.C. 119 note; Public Law 103-369) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2014''.

SEC. 6. MODIFICATIONS TO THE CABLE STATUTORY LICENSE.

(a) UPDATE AND CLARIFICATION OF ROYALTY CALCULATION METHODOLOGY.—Section 111(d)(1) of title 17, United States Code, is amended by striking subparagraphs (B), (C), and (D) and inserting the following:

''(B) except in the case of a cable system whose royalty fee is specified in subparagraph (C) or (D), a total royalty fee for the period covered by the statement, computed on the basis of specified percentages of the gross receipts from subscribers to the cable service during said period for the basic service of providing secondary transmissions of primary broadcast transmitters, as follows:

''(i) 1.064 per centum for the privilege of further transmitting any nonnetwork programming of a primary transmitter in whole or in part beyond the local service area of such primary transmitter, such amount to be applied against the fee, if any, payable pursuant to clauses (ii) through (iv).

''(ii) 1.064 per centum of such gross receipts for the first distant signal equivalent.

''(iii) 0.701 of 1 per centum of such gross receipts for each of the second, third, and fourth distant signal equivalents.

''(iv) 0.330 of 1 per centum of such gross receipts for the fifth distant signal equivalent and each distant signal equivalent thereafter;

''(C) in computing the amounts payable under clauses (ii) through (iv), any fraction of a distant signal equivalent shall be computed at its fractional value or in the case of any cable system located partly within and partly without the local service area of a primary transmitter, gross receipts shall be limited to those gross receipts derived from subscribers located without the local service area of such primary transmitter;

''(D) in computing the amounts payable under clauses (ii) through (iv), if a cable system provides a secondary transmission of a primary transmitter to some but not all communities served by that cable system, the gross receipts and the distant signal equivalent values for each secondary transmission shall be derived solely on the basis of the subscribers in those communities where the cable system provides each such secondary transmission, provided, however, that the total royalty fee for the period paid by such system shall in no event be less than the royalty fee calculated in accordance with clause (i) multiplied by the gross receipts from all subscribers to the system; and provided further, that a cable system that on a statement submitted prior to the date of enactment of the Satellite Television Modernization Act of 2009, computed its royalty fee consistent with the methodology in this subparagraph or that amends a statement filed prior to the date of enactment of such Act to compute the royalty fee due using this methodology shall not be subject to an action for infringement, or eligible for any royalty refund, arising out of its use of such methodology on such statement;

''(E) if the actual gross receipts paid by subscribers to a cable system for the period covered by the statement for the basic service of providing secondary transmissions of primary broadcast transmitters total $263,800 or less, gross receipts of the cable system for the purpose of this subparagraph shall be computed by subtracting from such actual gross receipts the amount by which $263,800 exceeds such actual gross receipts, except that in no case shall a cable system's gross receipts be reduced to less than $10,400. The royalty fee payable under this subparagraph shall be 0.5 of 1 per centum, regardless of the number of distant signal equivalents, if any; and

''(F) if the actual gross receipts paid by subscribers to a cable system for the period covered by the statement for the basic service of providing secondary transmissions of primary broadcast transmitters are more than $263,800 but less than $527,600, the royalty fee payable under this subparagraph shall be—

''(i) 0.5 of 1 per centum of any gross receipts up to $263,800; and

''(ii) 1 per centum of any gross receipts in excess of $263,800 but less than $527,600 regardless of the number of distant signal equivalents, if any.''.

(b) NO QUINQUENNIAL ADJUSTMENTS UNTIL 2015.—Section 804(b) of title 17, United States Code, is amended by striking ''2005'' each place that term appears and inserting ''2015''.

(c) ACCEPTANCE OF ADDITIONAL DEPOSITS.—Any royalty fee payments received by the Copyright Office from cable systems for the secondary transmission of primary broadcast transmitters (as such terms are defined in subsection (f) of section 111 of title 17, United States Code) that are in addition to the payments calculated and deposited in accordance with subsection (d) of such section 111 shall be deemed to have been deposited for the particular accounting period during which they are received and shall be distributed as specified in subsection (d) of such section 111.

(d) EFFECTIVE DATE OF NEW ROYALTY FEE RATES.—The royalty fee rates established in section 111(d)(1)(B) of title 17, United States Code, as amended by subsection (a), shall take effect beginning with the statement of account covering the first accounting period in 2010.

Mr. HATCH. Mr. President, I rise today to introduce with my colleague from Vermont, Senator LEAHY, the Satellite Television Modernization Act. I also note the efforts of Senators SESSIONS, KOHL, and KYL in crafting this bipartisan bill.

It is hard to believe that 5 years have transpired since we passed the Satellite Home Viewer Extension Act, SHVERA, of 2004. Much has occurred since that time, including the transition from analog to digital signals, which occurred in June. That is why the proposed legislation will not only reauthorize the statutory license used by satellite television providers, but will bring all of the statutory licenses into the digital age so that consumers can receive a good quality digital signal. Additionally, S. 1670 expands access to low power stations by broadening the license for low power stations to cover the entire local market; permits satellite providers to carry a noncommercial educational broadcast station if a station is part of a state-wide network; improves the ability of both DirecTV and DISH Network to provide local signals to local markets; and addresses the ''phantom signal'' issue, where currently cable providers may be required to pay royalty fees under section 111 based on subscribers who do not receive the content for which the royalty is being paid.

I hasten to point out, however, that much more needs to be done to move away from government regulation and toward a marketplace where satellite providers and cable providers can compete based on market forces. This is not a new issue for this body. In fact, during the 2004 reauthorization of SHVERA, Congress required that the U.S. Copyright Office prepare a report to make recommendations on the operations of, and revisions to, sections 111, 119, and 122 of the Copyright Act. The Copyright Office provided this report to Congress on June 30, 2008.

While I will not provide a line by line summary of the Report, I will underscore some key findings that the Copyright Office, under the leadership of Register of Copyrights Marybeth Peters, suggests that Congress consider

when legislating in this area of the law. Specifically, the Copyright Office found that ''below-market rates may have been justifiable when cable and satellite were nascent industries and needed a mechanism to allow them to serve their subscriber base with valuable distant signals.'' The Report continues by stating that ''the current multichannel video distribution marketplace is robust and has, for a long time, overshadowed the broadcast industry.'' Moreover, the Copyright Office further argues that ''it is now time to phase out section 111 and section 119 so that copyright owners can negotiate market rates for the carriage of programming.''

I agree with the Copyright Office that something needs to be done to ''phase out'' these compulsory licenses. There is no longer any reason that the cable and satellite industries need a government-sponsored subsidy—paid for by program providers—for the right to retransmit broadcast signals. I believe we can devise a way that would phase out these compulsory licenses without disrupting the market. In fact, it is already being done today, as cable and satellite services license programming for more than 550 non-broadcast networks directly in the marketplace without a need for a compulsory license.

Some have suggested a market trigger mechanism that would create an opportunity for, but not require, copyright owners to license their copyrighted programming on broadcast television in the same manner as they do currently for cable channels like TBS, ESPN, Nickelodeon, Disney Channel, FX, and Bravo. Copyright owners would have a choice between continuing to operate under the compulsory license, or if they prefer, licensing cable and satellite retransmission of their works directly through the free market as is done every day for the hundreds of non-broadcast cable channels.

I hope that industry stakeholders will participate in creating a practical and reasonable approach to rectifying this important issue. At a minimum, it is time to let program creators and distributors have the option to determine the terms and conditions for their intellectual property rights. I am pleased that Senate Judiciary Committee Chairman PAT LEAHY is committed to exploring viable options for a marketplace model, and I look forward to working with him and our colleagues on this and other issues before final passage of this bill.

By Mr. REED (for himself, Ms. SNOWE, and Mrs. SHAHEEN):

S. 1672. A bill to reauthorize the National Oilheat Research Alliance Act of 2000; to the Committee on Energy and Natural Resources.

Mr. REED. Mr. President, today I introduce, along with Senator SNOWE and Senator SHAHEEN, the National Oilheat Research Alliance Reauthorization Act of 2009. Since its establishment in 2001, the National Oilheat Research Alliance, NORA, has been a helpful entity for consumers of home heating fuel.

As part of the Energy Act of 2000, Congress authorized the heating oil industry to conduct a referendum to create NORA and to permit a small fraction of the wholesale price of heating oil—2/10 of a cent per gallon—to be paid by oilheat wholesale distributors to fund industry-led research and development, energy conservation, safety, training, and consumer education initiatives.

Since that time, R&D funded in part by NORA has been responsible for gains in efficiency as well as improvement in equipment that run on biofuels. In my home state, the next generation of oilheat technicians is being taught using classes developed by NORA.

NORA's current authorization expires in February 2010. The bipartisan bill we are introducing today extends the authorization for another year to allow NORA to continue operating. This extension will give Congress time to complete a longer-term reauthorization that will make important reforms to NORA. It is essential that this extension be signed into law before the end of this year. Otherwise, NORA will be forced to start shutdown procedures in advance of the authorization lapsing.

Currently, the oilheat industry in 23 states and the District of Columbia—representing more than 8.5 million homes and businesses—participates in NORA. It is important that Congress act quickly on this bill to ensure that the benefits NORA creates for these families and businesses continue uninterrupted.

Mr. President, I ask unanimous consent to have the text of the bill printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1672

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 ''National Oilheat Research Alliance Reauthorization Act of 2009''.

SEC. 2. REAUTHORIZATION.

Section 713 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by striking ''the date that is 9 years after the date on which the Alliance is established'' and inserting ''February 6, 2011''.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 1673. A bill to amend the Internal Revenue Code of 1986 to encourage charitable contributions of real property for conservation purposes by Native Corporations; to the Committee on Finance.

Mr. BEGICH. Mr. President, I am pleased today to join my colleague, Senator MURKOWSKI, in introducing legislation that would give Alaska Native Corporation, ANC, parity for an important tax incentive encouraging the permanent protection of land through the charitable donation of a conservation easement. I would also like to commend our colleague Congressman DON YOUNG, who today introduces a companion bill in the House of Representatives.

America's wildlife, waters, and land are an invaluable part of our Nation's heritage. It is imperative to preserve these natural treasures for future generations. Congress long ago concluded that it was good public policy to encourage the charitable contribution of conservation easements to organizations dedicated to maintaining natural habitats or open spaces help protect the nation's heritage. A conservation easement creates a legally enforceable land preservation agreement between a willing landowner and another organization. The purpose of a conservation easement is to protect permanently land from certain forms of development or use. The property that is the subject to the easement remains the private property of the landowner. The organization holding the easement must monitor future uses of the land to ensure compliance with the terms of the easement and to enforce the terms if a violation occurs.

In 2006, Congress enhanced the charitable tax deduction for conservation easements in order to encourage such gifts. With the 2006 legislation, Congress temporarily increased the maximum deduction limit for individuals donating qualified conservation easements from 30 percent to 50 percent of the taxpayer's adjusted gross income. Congress also created an exception for qualified farmers or ranchers, which are non-publicly traded corporations or individuals whose gross income from the trade or business of farming is greater than 50 percent of the taxpayer's gross income. In the case of a qualified farmer or rancher, the limitation increased from 30 percent to 100 percent. The 2008 Farm Bill extended the temporary rules for two additional years to charitable contributions made before December 31, 2009.

Unfortunately, the way the law was crafted has disadvantaged a number of important landowners in my home state. Alaska Native Corporations, ANCs, own nearly 90 percent of the private land in Alaska, including some of the most scenic and resource rich. However, although they are very similar to the small communal family farms that are eligible, subsistence-based Alaskan Native communities are ineligible for these important new tax incentives. For thousands of years, Alaska has been home to Native communities, whose rich heritages, languages, and traditions have thrived in the region's unique landscape. Members of Alaska Native communities continue to have a deeply symbiotic relationship with the land even today. Much like their ancestors, many Native Alaskan communities engage in

traditional subsistence activities, with nearly 70 percent of their food coming from the land or adjacent waters. For many communities, subsistence is an economic necessity considering both the lack of economic development and the cost and difficulty involved in purchasing food. For example, in Kotzebue, a community in Northwestern Alaska, milk costs nearly $10 per gallon. In Buckland, a village home to approximately 400 people, a pound of hamburger, when it is actually available, costs $14.00.

In Alaska, the Native Corporations have an important role to be stewards of the land. Their shareholders see themselves as the caretakers of the land and water as their ancestors have for thousands of years. Nonetheless, in Alaska today this means they have to balance the need for resource development and the need to cultivate the land for subsistence activities. The traditional lifestyles of Native Alaskans are under increasing stress from outside influences. Population growth and the pressure to pursue cash-generating activities have increased the desire for substantial development, significantly adding to the ecological stress on already fragile ecosystems. Without permanent protection, their lands could be developed in a manner that would destroy its ability to support the traditional ways and subsistence lifestyles crucial to Alaskan Native communities. Making use of tax incentives available to other Americans will make it easier for Native communities to make the right decisions for their shareholders.

Today, Alaska Native communities are not eligible for the 50 percent deduction available to individuals because they are federally chartered as C corporations under the Alaska Native Claims Settlement Act of 1971, ANCSA. This leaves Alaska Natives without the ability to convert to an eligible entity as other landowners can. In addition, most Alaska Native Corporations do not have sufficient gross income from the trade or business of what is considered traditional farming to be eligible for the 100 percent deduction available to qualified farmers or ranchers. This is in spite of the fact that as a group the Alaska Native shareholders of Alaska Native Corporations receive far more in subsistence benefits than they receive in income from the Alaska Native Corporation. As a result, Alaska Native Corporations do not have the same ability to offset the cost to permanently protect their properties, which contain important wildlife, fish, and other habitats, through donations of qualified conservation easements.

The bill I am introducing with Senator MURKOWSKI will allow Alaska Native Corporations to protect these important wildlife habitats, many used for subsistence, by providing an enhanced deduction for qualified conservation easements. The legislation modifies Section 170(b)(2) of the Internal Revenue Code by creating a new subsection that provides Alaska Native Corporations with a deduction for donations of certain qualified conservation easements. In order to be eligible, a qualified charitable conservation contribution must: (1) otherwise qualify under Section 170(h)(1); (2) be made by a Native Corporation; and (3) be land that was conveyed by ANCSA. Under Section 170(b)(2)(iii)(I), ''Native Corporation'' is defined by ANCSA, section 3(m). Under Section 170(b)(2)(i), the maximum deduction limit would be set at 100 percent of the taxpayer's adjusted gross income. If the taxpayer has deductions in excess of the applicable percentage-of-income limitation, Section 170(b)(2)(ii) would allow the taxpayer to carry-forward the deduction for up to 15 years.

Congress must act to assist Alaska Native communities in permanently protecting their culturally, historically, and ecologically significant land, preserving the communities and their rich traditions in the process. I urge my colleagues to support this important legislation.

By Mr. WYDEN (for himself, Mr. DODD, Mr. SHELBY, and Mr. INHOFE):

S. 1674. A bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions; to the Committee on Finance.

Mr. WYDEN. Mr. President, I come here today to introduce the bipartisan Improving Access to Clinical Trials Act. I would like to begin by thanking my friend Congressman EDWARD MARKEY for introducing this legislation in the House. I also want to thank Senator DODD, Senator SHELBY and Senator INHOFE for cosponsoring this legislation. I would also like to thank the Cystic Fibrosis Foundation for bringing this issue to my attention.

The legislation I am introducing today is important because it would give people who are eligible for Social Security Income and Medicaid the same access to clinical trials as those who are more financially fortunate. Currently, those with rare diseases, such as Cystic Fibrosis and Tuberous Sclerosis rely on clinical trials as their only hope. Little is known about these diseases and a clinical trial may often be the only way individuals can seek treatment for these rare diseases and contribute to helping find a cure.

Currently, SSI and Medicaid eligible individuals who want to participate in a clinical trial have to worry about whether or not they will see a loss or a reduction in their benefits for their participation in a clinical trial if the trial offers any sort of research compensation to participants as part of its approved Internal Review Board study design. This legislation would make it so benefits that these individuals receive from clinical trials are not counted against those who are seeking SSI or Medicaid benefits or those who are already eligible for these benefits.

A good example of why this legislation is needed is Sean from Maryland. Sean is a Medicaid beneficiary who voluntarily enrolled in a clinical trial. He was paid for his participation in the study and subsequently lost his health benefits. Shortly after the study he contracted pneumonia and was treated for the illness. After hospitalization he found out that the money he received would disqualify him for Medicaid. Because he lost his health benefits he now owes $80,000 for the two weeks of treatment he received for pneumonia.

While I believe this bill fixes a fundamental problem that has precluded hope for too many people who have a rare disease and receive SSI or Medicaid, I have heard some legitimate concerns that research compensation may create the wrong kind of incentives for low-income people. These are important concerns and when it comes to this issue I believe there do need to be important safeguards in place. That is why this bill includes a GAO study to make sure that the program is working and that it is fair to those on SSI and Medicaid who are participating in clinical trials for rare diseases. The bill sunsets in 5 years so that Congress can reexamine the issue after getting the GAO report on the program.

I urge my colleagues to support this legislation so that adults on SSI and Medicaid can have the same access to clinical trials as those more financially fortunate. I look forward to working with Chairman BAUCUS and Ranking Member GRASSLEY on passing this bill this year.

Mr. INHOFE. Mr. President, I am pleased to introduce legislation today with my colleague, Senator RON WYDEN, to introduce the Improving Access to Clinical Trials Act, I-ACT, a bill to allow patients with rare diseases to participate in clinical drug studies without losing their eligibility for public assistance like Supplemental Security Income, SSI, and Medicaid. This bill provides potentially lifesaving treatments through clinical trials for those suffering with rare diseases, like cystic fibrosis, CF, a life-threatening genetic disease that affects about 30,000 people nationwide. This hits especially close to home for me because I have a staff member, Sage Streck, with CF, and she has participated in some of these trials that further drug research as they seek better treatments for rare diseases. About half of these patients are on Medicare or Medicaid and are eligible for SSI benefits.

Cystic fibrosis used to be primarily a childhood disease because people simply didn't live long enough to reach adulthood. But now, thanks to the many treatments discovered through clinical trials, the average life expectancy is 37 years old. Additionally, these advances in science allow CF patients to live more normal lives and not spend all their lives in hospitals or

using respiratory machines. The more CF patients can participate in clinical trials, the faster scientists can discover new treatments and eventually a cure.

Sage has personally seen in her lifetime five drugs that started in clinical trials and are now available to CF patients. Each medication has increased her quality of life and decreased the amount of time she has spent in the hospital or on IV antibiotics. There are more than 30 promising drugs in the research pipeline right now that the CF Foundation is calling miracle drugs so it is imperative that patients have access to clinical trials so these drugs can get on the market.

Under current law, the small compensation provided to trial participants, which averages around $500, is included as additional income that could cause a person to lose their public assistance benefits, like Supplemental Security Income, SSI, and Medicaid. These benefits are crucial for patients living with rare diseases. For instance, nearly 50 percent of the CF population uses SSI or Medicaid. As a result, patients choose not to enroll in clinical trials that could dramatically improve their lives out of the fear that they may lose the benefits on which they rely.

This bill allows patients with a rare disease to disregard up to $2,000 of compensation received for participation in a clinical trial in their SSI and Medicaid income calculations. Though it will have a negligible impact on the Federal budget, it will make a dramatic difference in the lives of those who will gain access to potentially lifesaving treatments by enrolling in clinical trials as well as all those in the future whose lives will be improved by the medical advances that arise from this research.

Please join me in supporting this legislation that will provide patients with rare disease access to potentially lifesaving clinical trials without losing their public assistance health benefits.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 266—RECOGNIZING THE CONTRIBUTIONS OF JOHN SWEENEY TO THE UNITED STATES LABOR MOVEMENT

Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. HARKIN, Mr. KERRY, Mr. DODD, Mr. WYDEN, Mr. MENENDEZ, Ms. STABENOW, Ms. KLOBUCHAR, Mr. CASEY, Mr. FRANKEN, Mr. BROWN, Mr. REED, Mr. SANDERS, Mrs. MURRAY, Mr. MERKLEY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LEAHY, Mr. BEGICH, Mr. LIEBERMAN, Mrs. BOXER, Mrs. MCCASKILL, Mr. AKAKA, Mrs. SHAHEEN, Mr. KAUFMAN, Mr. WEBB, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 266

Whereas John Sweeney was born in the Bronx, New York, to hard-working Irish immigrant parents, who instilled in him a sense of faith, a commitment to justice, and a love for the United States and its infinite potential to provide opportunity to all people;

Whereas John Sweeney was raised by his father, a bus driver, and his mother, a domestic worker, who both worked hard to allow him to attend St. Joseph's School, Cardinal Hayes High School, and Iona College, where he worked as a porter and a grave digger to help pay for his tuition;

Whereas because of his upbringing and his experiences growing up, John Sweeney gave up a high-paying career to dedicate his life to helping the labor movement and improving the lives of millions of working families across the United States;

Whereas John Sweeney's career in the labor movement has taken him from working on behalf of the factory workers of the International Ladies' Garment Workers' Union (ILGWU) and the doormen and cleaning women of the Service Employees International Union (SEIU) to being elected, in October 1995, to serve as the president of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO);

Whereas John Sweeney transformed labor organization and engaged the people of the United States on economic justice issues through methods such as the innovative ''Justice for Janitors'' campaign, while also nearly doubling the membership of the SEIU during his time as its president, making it the first union to reach 1,000,000 members;

Whereas John Sweeney led efforts at SEIU that resulted in landmark equal wage rulings for female building employees and launched an organization drive that gave nearly 20,000 home care employees a voice in improving their own income and working conditions;

Whereas John Sweeney has served as a transformational figure for millions of working individuals in the United States, and as president of the AFL-CIO, he has worked to revitalize and modernize the role of labor unions, train a new generation of organizers, promote diversity in union leadership, and make unions a driving force for social justice;

Whereas under John Sweeney's leadership, the National Labor College has become a first-rate institute of higher learning, providing an unparalleled opportunity for advancement to countless workers in the United States;

Whereas John Sweeney has fought on multiple fronts for legislation that advances justice, opportunity, and fairness for workers and their families, including legislation for a fair minimum wage, increased family leave, and improved worker health and safety rules;

Whereas because of his mother's experiences as a domestic worker, John Sweeney has personally dedicated himself to working on a Domestic Workers Bill of Rights for the State of New York;

Whereas John Sweeney has championed the effort to provide high-quality health care that is affordable and available to everyone in the United States; and

Whereas John Sweeney, as an author, father, grandfather, organizer, and inveterate advocate for the voiceless, continues to inspire a new generation of labor leaders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions that John Sweeney has made to the labor movement and to the lives of working men and women across the United States;

(2) congratulates John Sweeney on his decades of extraordinary and dedicated service; and

(3) honors John Sweeney for his commitment to economic and social justice and his tireless advocacy on behalf of the working families of this Nation.

SENATE RESOLUTION 267—SUPPORTING THE GOALS AND IDEALS OF NATIONAL OVARIAN CANCER AWARENESS MONTH

Ms. STABENOW (for herself, Mr. VOINOVICH, Mr. BENNET, Mrs. HUTCHISON, Mr. BAYH, Mr. FRANKEN, Mr. MENENDEZ, Ms. KLOBUCHAR, and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 267

Whereas ovarian cancer is the deadliest of all gynecologic cancers, and the reported mortality rate from ovarian cancer is increasing;

Whereas ovarian cancer is the 5th leading cause of cancer deaths among women in the United States;

Whereas the mortality rate for ovarian cancer has not significantly decreased since the ''War on Cancer'' was declared, nearly 40 years ago;

Whereas all women are at risk for ovarian cancer, and 90 percent of women diagnosed with ovarian cancer do not have a family history that puts them at higher risk;

Whereas the Pap test is sensitive and specific to the early detection of cervical cancer, but not to ovarian cancer;

Whereas there is currently no reliable early detection test for ovarian cancer;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other symptoms that are easily confused with other diseases;

Whereas, due to the lack of a reliable early detection test, 75 percent of cases of ovarian cancer are detected at an advanced stage, making the overall 5-year survival rate only 45 percent;

Whereas, if ovarian cancer is diagnosed and treated at an early stage, before the cancer spreads outside of the ovary, the survival rate is as high as 90 percent;

Whereas there are factors that are known to reduce the risk for ovarian cancer and that play an important role in the prevention of the disease;

Whereas awareness and early recognition of ovarian cancer symptoms are the best way to save the lives of women;

Whereas, each year during the month of September, the Ovarian Cancer National Alliance holds a number of events to increase public awareness of ovarian cancer; and

Whereas the President has designated September 2009 as ''National Ovarian Cancer Awareness Month'': Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Ovarian Cancer Awareness Month.

SENATE RESOLUTION 268—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THEIR IMMENSE CONTRIBUTIONS TO THE NATION

Mr. MENENDEZ (for himself, Mr. REID, Ms. STABENOW, Mr. BINGAMAN, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. BROWN, Mr. CARDIN, Mr. WHITEHOUSE, Mr. KERRY, Ms. MIKULSKI,

Mr. LAUTENBERG, Mr. BENNET, Mrs. GILLIBRAND, Mr. NELSON of Florida, Mrs. BOXER, Mr. KAUFMAN, Mr. CORNYN, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 268

Whereas from September 15, 2009, through October 15, 2009, the United States celebrates Hispanic Heritage Month;

Whereas the Census Bureau estimates the Hispanic population in the United States at almost 47,800,000 people, making Hispanic Americans the largest ethnic minority within the United States;

Whereas 1 in 3 United States public school students is Hispanic, and the total number of Hispanic students enrolled in our Nation's public schools is expected to reach 28,000,000 by 2050;

Whereas the purchasing power of Hispanic Americans is projected to reach $1,000,000,000,000 by 2010 and there are more than 1,600,000 Hispanic-owned firms in the United States, supporting more than 1,500,000 employees nationwide and greatly contributing to the economic sector, especially retail trade, wholesale trade, and construction;

Whereas Hispanic Americans serve in all branches of the Armed Forces and bravely fought in every war in United States history;

Whereas more than 29,000 Hispanics have served with distinction in Afghanistan and Iraq;

Whereas 140,000 Hispanic soldiers served in the Korean War;

Whereas more than 80,000 Hispanics served in the Vietnam War, representing 5.5 percent of individuals who made the ultimate sacrifice for their country in that conflict although they comprised only 4.5 percent of the United States population at the time;

Whereas as of September 11, 2009, approximately 11 percent of the more than 4,329 United States military fatalities in Iraq have been Hispanic;

Whereas there are more than 1,100,000 Hispanic veterans of the Armed Forces;

Whereas 43 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the United States Armed Forces;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including 1 seat in the Senate, 28 seats in the House of Representatives, 2 seats in the Cabinet, and 1 seat on the Supreme Court; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2009, through October 15, 2009;

(2) esteems the integral role of Latinos and their manifold heritage in the American economy, culture, and identity; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities that appreciate the cultural contributions of Latinos to American life.

SENATE CONCURRENT RESOLUTION 39—EXPRESSING THE SENSE OF THE CONGRESS THAT STABLE AND AFFORDABLE HOUSING IS AN ESSENTIAL COMPONENT OF AN EFFECTIVE STRATEGY FOR THE PREVENTION, TREATMENT, AND CARE OF HUMAN IMMUNODEFICIENCY VIRUS, AND THAT THE UNITED STATES SHOULD MAKE A COMMITMENT TO PROVIDING ADEQUATE FUNDING FOR THE DEVELOPMENT OF HOUSING AS A RESPONSE TO THE ACQUIRED IMMUNODEFICIENCY SYNDROME PANDEMIC

Mr. MENENDEZ (for himself and Mr. SCHUMER) submitted the following concurrent resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. CON. RES. 39

Whereas adequate and secure housing for people with human immunodeficiency virus or acquired immunodeficiency syndrome (referred to in this resolution as ''HIV/AIDS'') is a challenge with global dimensions, and adequate housing is one of the greatest unmet needs of people in the United States with HIV/AIDS;

Whereas growing empirical evidence shows that the socioeconomic status and structural factors such as access to adequate housing are key determinants of health;

Whereas the link between poverty, disparities in the risk of human immunodeficiency virus (referred to in this resolution as ''HIV'') infection, and health outcomes is well established, and new research demonstrates the direct relationship between inadequate housing and greater risk of HIV infection, poor health outcomes, and early death;

Whereas rates of HIV infection are 3 to 16 times higher among people who are homeless or have an unstable housing situation, 70 percent of all people living with HIV/AIDS report an experience of homelessness or housing instability during their lifetime, and the HIV/AIDS death rate is 7 to 9 times higher for homeless adults than for the general population;

Whereas poor living conditions, including overcrowding and homelessness, undermine safety, privacy, and efforts to promote self-respect, human dignity, and responsible sexual behavior;

Whereas people who are homeless or have an unstable housing situation are 2 to 6 times more likely to use hard drugs, share needles, or exchange sex for money and housing than similar persons with stable housing, because the lack of stable housing directly impacts the ability of people living in poverty to reduce HIV risk behaviors;

Whereas, in spite of the evidence indicating that adequate housing has a direct positive effect on HIV prevention, treatment, and health outcomes, the housing resources devoted to the national response to HIV/AIDS have been inadequate, and housing has been largely ignored in policy discussions at the international level; and

Whereas, in 1990, Congress recognized the housing needs of people with HIV/AIDS when it enacted the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), commonly referred to as the ''Housing Opportunities for Persons with AIDS Program'' or ''HOPWA Program'', as part of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625), and the HOPWA program currently serves approximately 70,000 households: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) stable and affordable housing is an essential component of an effective strategy for HIV prevention, treatment, and care; and

(2) the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2370. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 2371. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra.

SA 2372. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra.

SA 2373. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2374. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra.

SA 2375. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra.

SA 2376. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra.

SA 2377. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra.

SA 2378. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2379. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2380. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2381. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2382. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2383. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2384. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2385. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2386. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2387. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill S. 886, to establish

a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in the financial recovery from natural catastrophes; which was referred to the Committee on Banking, Housing, and Urban Affairs.

SA 2388. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2389. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2390. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2391. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2392. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2393. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2394. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2395. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2396. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2397. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2398. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2399. Mr. REID (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2400. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2401. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2402. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2403. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2404. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2405. Mrs. MURRAY (for herself, Mr. BOND, and Mr. DODD) submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

SA 2406. Mrs. MURRAY (for herself and Mr. BOND) submitted an amendment intended to be proposed by her to the bill H.R. 3288, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2370. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) None of the funds made available by this Act may be used for any purpose described in subsection (b) until the date on which the Secretary of Transportation certifies, based on the estimates made under section 9503(d)(1) of the Internal Revenue Code of 1986 of unfunded highway authorizations in relation to net highway receipts (as those terms are defined in that section) for the period of fiscal years 2010 through 2013, that the Highway Trust Fund contains or will contain amounts sufficient to cover all such unfunded highway authorizations for those fiscal years.

(b) The purposes referred to in subsection (a) are—

(1) the reduction of vehicle-caused wildlife mortality or the maintenance of habitat connectivity;

(2) transportation museums;

(3) scenic beautification projects; and

(4) pedestrian or bicycle facility projects.

SA 2371. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. 1_____. None of the funds made available by this Act may be used to implement section 133(d)(2) of title 23, United States Code.

SA 2372. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used for a museum.

SA 2373. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used for the reduction of vehicle-caused wildlife mortality or the maintenance of habitat connectivity.

SA 2374. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT ON COST OF GOVERNMENT-OWNED RESIDENTIAL HOMES.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall prepare a report, and post such report on the public website of the Department of Housing and Urban Development (in this section referred to as the ''Department''), regarding the number of homes owned by the Department and the budget impact of acquiring, maintaining, and selling such homes.

(b) CONTENT.—The report required by this section shall include—

(1) the number of residential homes that the Department owned during the years 2004 and 2009;

(2) an itemized breakdown of the total annual financial impact, including losses and gains from selling homes and maintenance and acquisition of homes, of home ownership by the Department since 2004;

(3) a detailed explanation of the reasons for the ownership by the Department of the homes;

(4) a list of the 10 urban areas in which the Department owns the most homes and the rate of homelessness in each of those areas; and

(5) a list of the 10 States in which the Department owns the most homes and the rate of homelessness in each of those States.

SA 2375. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act, amounts provided in this Act for a congressionally directed spending item shall be made available to the Department of Transportation for NextGen and NextGen programs.

(b) In this section, the term ''congressionally directed spending item'' shall have the same meaning given such term in rule XLIV of the Standing Rules of the Senate.

SA 2376 Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of

Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC.—. None of the funds made available in this act shall be used to restrict implementation or enforcement of the community service requirements under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c)).

SA 2377. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

SA 2378. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, line 18, strike ''$2,942,352,000'' and insert ''$4,142,352,000''.

On page 210, strike line 15 and all that follows through page 213, line 2.

SA 2379. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, line 18, strike ''$2,942,352,000'' and insert ''$5,845,576,210''.

On page 210, strike line 15 and all that follows through page 213, line 2.

On page 332, after line 25, add the following:

SEC. 415. Notwithstanding any other provision in this Act, all amounts designated as congressionally directed spending items in Senate Report 111–69 are rescinded.

SA 2380. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ENHANCED VOUCHER ASSISTANCE FOR CERTAIN ASSISTED HOUSING RESIDENTS.

(a) ENHANCED VOUCHER ASSISTANCE.—Notwithstanding any other provision of law, contract, or covenant, and subject only to the availability of amounts provided in advance in appropriation Acts—

(1) upon the expiration, pursuant to paragraph (2), of the use restrictions applicable to the covered properties pursuant to the Emergency Low Income Housing Preservation Act of 1987 (12 U.S.C. 17151 note), each family who is an eligible low-income or moderate income family, as such terms are used for purposes of section 223(f)(2)(A) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4113(f)(2)(A)), and, as of such expiration, is residing in dwelling unit in the covered properties not covered by project-based rental assistance, shall be offered enhanced voucher assistance under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)), and each such family who chooses to remain in the covered properties shall have 3 years from the date of the issuance of such enhanced voucher to commence use of the voucher;

(2) such use restrictions applicable to the covered properties shall be deemed to expire on March 1, 2010, but only if the owner of the covered properties enters into agreements with the Secretary to maintain the project-based rental assistance for the properties for a period beginning upon such expiration of not fewer than 20 years; and

(3) the contract rents for dwelling units in the covered properties covered by project-based rental assistance shall be determined during the period ending upon the expiration of such use restrictions pursuant to paragraph (2) based upon the rents for comparable unassisted and unrestricted units in the area in which the covered properties are located; except that before May 1, 2012, the rental assistance payments for such project-based units in the covered property known as Georgetowne Houses II shall be restricted to the rent levels provided under the Emergency Low Income Housing Preservation Act of 1987.

(b) COVERED PROPERTIES.—For purposes of this section, the term ''covered properties'' means the housing developments known as Georgetowne Houses I and II (formerly identified by FHA project nos. 023–55058 and 023–55179), located in Boston, Massachusetts.

(c) FUNDING.—Amounts for the enhanced vouchers pursuant to this section shall be provided under amounts appropriated for tenant-based rental assistance otherwise authorized under section 8(t) of the United States Housing Act of 1937.

(d) APPLICABILITY.—This section shall take effect upon the date of enactment of this Act, and nothing in this section may be construed to require any administrative guidance.

SA 2381. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 194, after line 23, add the following:

SEC. 1_____. The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended in item number 2406 (119 Stat. 1350) by striking ''in Fort Worth'' in the project description and inserting '', or construct SH 199 (Henderson St.) through the Trinity Uptown Project between the West Fork and Clear Fork of the Trinity River, in Fort Worth''.

SA 2382. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 223, between lines 22 and 23, insert the following:

SEC. 172. (a) Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in coordination with the Administrator of the Federal Transit Administration, shall submit a report and implementation plan to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives.

(b) The report and plan required under subsection (a) shall include recommendations, including legislative proposals and actions that will be taken by the Department of Transportation, for—

(1) reducing the amounts appropriated pursuant to section 5316 of title 49, United States Code, for the Job Access and Reverse Commute Program (referred to in this section as the ''Program'') that lapse before being utilized;

(2) reducing, revising, or eliminating reporting and certification requirements under the Program that act as a deterrent to potential applicants without significantly increasing the integrity of the program; and

(3) addressing the concerns and challenges cited by States and local authorities in the Government Accountability Office report entitled ''Progress and Challenges in Implementing and Evaluating the Job Access and Reverse Commute Program'' (GAO–09–496), issued May 21, 2009), including recommendations related to—

(A) reducing the effort required to obtain and maintain funding for the Program;

(B) whether specific reporting and certification requirements improve program integrity relative to the burden on grantees;

(C) whether duplicative efforts in administering the Program with other Federal Transit Administration programs could be streamlined;

(D) whether additional technical assistance or reduced administrative burdens would improve the participation of small nonprofit organizations and other local authorities that lack experience with Federal grants; and

(E) whether reduced matching fund requirements for certain types of applicants or after an initial grant solicitation fails to attract sufficient interest would reduce the amount of funds that lapse.

SA 2383. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of

Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, amounts made available in this Act for foreclosure prevention efforts shall be allocated by the Secretary of Housing and Urban Development solely on the basis of need.

SA 2384. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 18 and 19, insert the following:

SEC. 197. Section 199 of the Department of Transportation Appropriations Act, 2009 (division I of Public Law 111–8) is amended by striking ''fiscal year 2009'' and inserting ''fiscal years 2009 and 2010''.

SA 2385. Mrs. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 18 and 19, insert the following:

SEC. 197. (a) Subchapter III of chapter 311 of title 49, United States Code, is amended by adding at the end the following:

''§ 31152. Transportation of horses

''(a) IN GENERAL.—A person may not transport, or cause to be transported, a horse from a place in a State through or to a place in another State in a commercial motor vehicle that—

''(1) has 2 or more levels stacked on top of one another; or

''(2) contains more than 30 horses.

''(b) ENFORCEMENT.—

''(1) IN GENERAL.—If the Administrator of the Federal Motor Carrier Safety Administration determines that a person has violated subsection (a) after providing that person with notice and an opportunity for a hearing in accordance with section 554 of title 5, United States Code, the Administrator shall impose a civil penalty of not less than $1,000 and not more than $5,000 for each horse that the person transported, or caused to be transported, in violation of subsection (a).

''(2) RELATIONSHIP TO OTHER LAWS.—A civil penalty imposed under this subsection shall be in addition to any other penalty or remedy available under any other law.

''(c) DEFINITIONS.—In this section:

''(1) COMMERCIAL MOTOR VEHICLE.—The term 'commercial motor vehicle' has the meaning given that term in section 31101.

''(2) STATE.—The term 'State' means any of the several States, the District of Columbia, or any other territory or possession of the United States.''.

(b) The table of sections for such chapter is amended by inserting after the item relating to section 31151 the following:

''31152. Transportation of horses.''.

SA 2386. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Section 3044(a) of SAFETEA–LU (Public Law 109–59) is amended by striking the description for item 386 and inserting ''Suffolk County, NY Extended preliminary engineering, design, and construction of intermodal facility in Wyandanch''.

SA 2387. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 886, to establish a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in the financial recovery from natural catastrophes; which was referred to the Committee on Banking, Housing, and Urban Affairs; as follows:

On page 5, line 24, strike ''Any'' and insert ''Notwithstanding any other provision of law, including section 1341 of title 31, United States Code (commonly known as the 'Anti-Deficiency Act') and section 11 of title 41, United States Code (commonly known as the 'Adequacy of Appropriations Act'), any''.

On page 8, line 25, after ''section'' insert ''(excluding any fees collected under subsection (c)(4))''.

On page 16, line 19, strike ''(a) **IN GENERAL**.—''.

On page 16, line 22, strike ''market risk'' and insert ''risk to the Government''.

On page 16, strike line 23 and all that follows through page 17, line 3.

SA 2388. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 318, between lines 11 and 12, insert the following:

SEC. 234. REPORT ON HUD PROGRAMS IN HURRICANE DISASTER AREAS.

(a) DEFINITIONS.—In this section—

(1) the terms ''Department'' and ''Secretary'' mean the Department of Housing and Urban Development and the Secretary thereof, respectively;

(2) the term ''covered program'' means a program—

(A) relating to recovery from Hurricane Katrina of 2005 or Hurricane Rita of 2005; or

(B) carried out using funds made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115); and

(3) the term ''hurricane disaster area'' means an area for which the President has declared a major disaster, as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), as a result of Hurricane Katrina of 2005, Hurricane Rita of 2005, Hurricane Gustav of 2008, or Hurricane Ike of 2008.

(b) REPORT REQUIRED.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that—

(1) evaluates the block-by-block impact of any project approved for a hurricane disaster area under a program of the Department, including any project under a covered program;

(2) identifies any impediments to the use of programs of the Department (including covered programs) to carry out projects in hurricane disaster areas, including—

(A) any program requirements or regulations;

(B) a lack of administrative or program staff capacity; and

(C) a lack of clear process for requesting and receiving reimbursements of project funds; and

(3) makes recommendations, if any, on how—

(A) to improve coordination between Federal, State, and local agencies; and

(B) for each block of a hurricane disaster area, to expedite the implementation of any project carried out in such block using Federal funds.

SA 2389. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HURRICANE ASSISTANCE TO FAMILIES.

Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may use—

(1) not more than $80,000,000 of funds reserved by the Department of Homeland Security under an Inter-Agency Agreement with the Department of Housing and Urban Development for victims of Hurricanes Ike and Gustav of 2008 to provide assistance under section 8(o) of the United States Housing Act of 1937, and related fee provisions, to eligible families receiving assistance under the DHAP-Ike program, except that such assistance shall not be made available to other families upon turnover; and

(2) not more than an additional $10,000,000 of funds reserved by the Department of Homeland Security under the Inter-Agency Agreement described in paragraph (1) to provide assistance under section 8(o) of the United States Housing Act of 1937, and related fee provisions, to families residing in Federal Emergency Management Agency transitional housing units because of Hurricanes Ike and Gustav of 2008.

SA 2390. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 277, line 1, strike ''$100,000,000'' and insert ''$115,000,000''.

On page 277, line 18, strike the period and insert '': *Provided further*, That of the amounts made available under this heading,

not less than $15,000,000 shall be awarded to nonprofit legal aid organizations to provide foreclosure prevention assistance.''

On page 286, line 21, strike ''$200,000,000'' and insert ''$185,000,000''.

SA 2391. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 318, between lines 11 and 12, insert the following:

SECTION 234. HOME RETENTION AND ECONOMIC STABILIZATION.

(a) FORECLOSURE DEFERMENT.—Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by inserting after section 128 the following new section:

''§ 128A. Foreclosure deferment and reset notification for mortgages

''(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) DEFERMENT PAYMENT AMOUNT.—The term 'deferment payment amount' means the amount of the monthly payment that is due on an eligible deferred-foreclosure mortgage during the deferment period.

''(2) DEFERMENT PERIOD.—The term 'deferment period' means the period that—

''(A) begins when the eligible consumer sends notice of the exercise of the deferral right under subsection (b)(1) with respect to an eligible deferred-foreclosure mortgage to the creditor or servicer; and

''(B) ends on the earliest of the following applicable dates:

''(i) The date that is 270 days after the beginning of the period.

''(ii) The end of the 30-day period beginning on any due date for any deferment payment (on such mortgage, in accordance with this section) which remains unpaid as of the end of such 30-day period.

''(iii) The date on which the creditor or servicer enters into a qualified loan modification with the consumer.

''(iv) The date on which the deferment is terminated by judicial order.

''(3) DEFERMENT PERIOD TRIGGER.—The term 'deferment period trigger' means the date on which the consumer becomes eligible for a deferment under subsection (b)(1) with respect to an eligible deferred-foreclosure mortgage and occurs on the earlier of—

''(A) the date of any adjustment or reset of the interest rate on such mortgage;

''(B) the date by which the consumer is 60 days delinquent on mortgage payments; or

''(C) the date of the first increase in the minimum monthly payment due under such mortgage after the origination of such mortgage.

''(4) ELIGIBLE DEFERRED-FORECLOSURE MORTGAGE.—The term 'eligible deferred-foreclosure mortgage' means a consumer credit transaction that is secured by the principal dwelling of an eligible consumer that—

''(A) was entered into before the date of enactment of this section; and

''(B) has reached the deferment period trigger.

''(5) ELIGIBLE CONSUMER.—The term 'eligible consumer' means a consumer who—

''(A) is a mortgagor or borrower on an eligible deferred-foreclosure mortgage;

''(B) has resided at the property secured by such mortgage since the mortgage transaction was entered into and intends to reside at such property at least until the end of the deferment period;

''(C) has a current monthly income that, when multiplied by 12, is less than 200 percent of the area median annual income for the relevant family size in the State in which the residence is located; and

''(D) during the deferment period, responds to reasonable inquiries from a creditor or servicer with respect to an eligible deferred-foreclosure mortgage.

''(6) QUALIFIED LOAN MODIFICATION.—

''(A) IN GENERAL.—The term 'qualified loan modification' means a permanent, sustainable loan modification.

''(B) FDIC REGULATIONS.—Not later than 60 days after the date of enactment of the Department of Housing and Urban Development Appropriations Act, 2010, the Chairperson of the Federal Deposit Insurance Corporation shall promulgate rules establishing under what circumstances a loan modification will qualify as permanent and sustainable.

''(b) RIGHT TO DEFERMENT OF INSTITUTION OF OR ACTION ON FORECLOSURE.—

''(1) RIGHT ESTABLISHED.—Any eligible deferred-foreclosure consumer shall have the right to defer any initiation of a foreclosure, whether judicial or nonjudicial, or any action in connection with a foreclosure already instituted, including any foreclosure sale, with respect to any eligible deferred-foreclosure mortgage by any creditor, servicer, or holder of such mortgage, or any other person acting on behalf of any such creditor, servicer, or holder, until the end of the deferment period.

''(2) ENFORCEMENT OF RIGHT.—An eligible deferred-foreclosure consumer may defend against a foreclosure or bring an action in any court of competent or general jurisdiction to compel compliance with the right of the consumer under paragraph (1) to defer any initiation of a foreclosure or any action in connection with a foreclosure already instituted, including any foreclosure sale, with respect to any eligible deferred-foreclosure mortgage.

''(c) NOTICE TO CONSUMER BEFORE ANY FORECLOSURE ACTION.—

''(1) NOTICE OF RIGHT REQUIRED.—Before initiating any foreclosure with respect to any eligible deferred-foreclosure mortgage, the creditor or servicer shall notify, by personal service, any eligible deferred-foreclosure consumer with respect to such mortgage of such consumer's right under subsection (b) to defer the initiation of foreclosure.

''(2) CONTENTS OF NOTICE.—The Board shall prescribe, by regulations under sections 105 and 122, the content and format, including the size of the font, of the notices under paragraph (1) in a manner that maximizes the likelihood that the consumer will obtain and understand all the information necessary to exercise the right to defer any action to institute foreclosure, including—

''(A) the manner and format for obtaining such deferral, including a sample notice form, an identification form, and a certification form for the consumer to use in complying with subsection (d)(1);

''(B) contact information for the creditor or servicer, as the case may be and any third party involved in foreclosure proceedings, including State or local officials; and

''(C) contact information for obtaining any counseling concerning the exercise of such deferral from a counselor approved by the appropriate State housing finance agency or the Secretary of Housing and Urban Development.

''(3) TIMING.—No foreclosure action or proceeding with respect to any eligible deferred-foreclosure mortgage shall be valid unless the creditor or servicer has provided the notice required under this subsection to the consumer at least 30 days before instituting any such action or proceeding and at least once during each subsequent 30-day period until the foreclosure becomes final.

''(d) INSTITUTION OF DEFERMENT.—

''(1) PROCEDURE REQUIRED.—Any eligible deferred-foreclosure consumer who chooses to exercise a deferment right under subsection (b) shall provide—

''(A) notice of the exercise of such to the servicer or other person described in the notice to the consumer under subsection (e) by any reasonable means including by mail, service whether directly or to any agent, including at the address of any registered agent;

''(B) a clear identification of the eligible deferred-foreclosure consumer and the address of the property securing the mortgage; and

''(C) a certification that at least 1 consumer borrower with respect to such mortgage resides at the property secured by such mortgage and intends to reside at such property at least until the end of the deferment period.

''(2) SUFFICIENCY OF NOTICE.—

''(A) IN GENERAL.—Notice and delivery of an affidavit under paragraph (1) may be made by any reasonable means including by mail, service whether directly or to any agent, including at the address of any registered agent with the secretary of state for the State in which the property is located, or any attorney representing the consumer, or by such means as the terms of the mortgage or regulations prescribed by the Board may provide.

''(B) OTHER PARTIES.—If any court, any sheriff or other official designated under State law, or any other person authorized under State law and the contracts of the parties to maintain any foreclosure proceeding or conduct any foreclosure sale receives, directly or indirectly, a copy of any notice provided under this subsection by an eligible deferred-foreclosure consumer with respect to any eligible deferred-foreclosure mortgage, no foreclosure action may be taken by the court, sheriff, official, or other person with respect to such mortgage during the applicable deferred-foreclosure period.

''(3) ACKNOWLEDGMENT.—

''(A) IN GENERAL.—Any creditor, servicer, or holder of an eligible deferred-foreclosure mortgage, or any other person acting on behalf of any such creditor, servicer, or holder, who receives a notice from a consumer under paragraph (2) shall acknowledge to the consumer the receipt of the notice of the exercise of the deferment right under subsection (b) before the end of the 10-business day period beginning on the date of such receipt.

''(B) CONTENTS OF NOTICE.—The acknowledgment provided to any eligible deferred-foreclosure consumer under subparagraph (A) shall include the date on which the next payment is due on the eligible deferred-foreclosure mortgage, the deferment payment amount, the date on which each subsequent payment is due, and the address or the delivery method for each such payment that is acceptable to the recipient.

''(4) MONTHLY PAYMENT NOTICES.—Each periodic statement of account submitted by the creditor or servicer with respect to any eligible deferred-foreclosure mortgage during the period while any deferment right under subsection (b) is in effect shall include—

''(A) the due date and the amount of the next payment due on such mortgage;

''(B) the address or the delivery method for such payment;

''(C) the date on which the deferral of the foreclosure will terminate; and

''(D) a notice that failure to make such payment in a timely manner will jeopardize the continuation of the deferral of the foreclosure.

''(e) DEFERMENT PAYMENT.—

''(1) IN GENERAL.—During the deferment period with respect to any eligible deferred-foreclosure mortgage for which any deferment right has been exercised under subsection (b), monthly payments shall continue to be made by the consumer with respect to such mortgage.

''(2) AMOUNT OF PAYMENT.—The deferment payment amount for purposes of monthly payments under paragraph (1) with respect to any eligible deferred-foreclosure mortgage shall be, as applicable, the lesser of—

''(A) the minimum monthly payment of principal and interest on the date on which the loan was originated;

''(B) a monthly payment based on the outstanding loan principal plus a rate of interest calculated at a fixed annual percentage rate, in an amount equal to the most recent conventional mortgage rate plus a 100 basis point premium for risk, amortized over a period of 30 years minus the period of time since the origination of the loan; or

''(C) the amount of the first minimum monthly payment due under the mortgage after the origination of such mortgage.

''(3) AMORTIZATION OF DIFFERENCE.—The difference between the amount of any monthly payment due under the terms of any eligible deferred-foreclosure mortgage and the deferment payment amount shall be amortized over the life of the mortgage beginning after the deferred-foreclosure period in accordance with regulations which the Board shall prescribe.

''(4) CHARGES PROHIBITED.—No creditor or servicer may impose any late fee or other fee or charge during the deferment period with respect to any eligible deferred-foreclosure mortgage for which any deferment right has been exercised under subsection (b) or in connection with the exercise of such deferment right.

''(f) NOTICE OF RESET AND ALTERNATIVES.—During the 1-month period that ends 120 days before the date on which the interest rate in effect during the introductory period of an eligible deferred-foreclosure mortgage adjusts or resets to a variable interest rate, or the minimum monthly payment of principal and interest required first increases from the amount of the first such minimum monthly payment due under the mortgage after the origination of such mortgage, the creditor or servicer of such loan shall provide a written notice, separate and distinct from all other correspondence to the consumer, that includes the following:

''(1) Any index or formula used—

''(A) in determining the annual percentage rate applicable as of the effective date of a reset or adjustment; and

''(B) in making any increases in the minimum monthly payments due, and a source of information about the index or formula.

''(2) A good faith estimate, based on accepted industry standards and disclosed in a clear and conspicuous manner, of the creditor or servicer of the amount of the monthly payment that will apply after the date of the adjustment or reset, or increase, as applicable, and the assumptions on which this estimate is based.

''(3) A list of alternatives consumers may pursue before the date of adjustment or reset, or increase, as applicable, and descriptions of the actions consumers must take to pursue such alternatives, including—

''(A) refinancing;

''(B) renegotiation of loan terms;

''(C) payment forbearance;

''(D) pre-foreclosure sales;

''(E) any payment assistance available from the State in which the property is located; and

''(F) any refinancing, loan modification, or other assistance program available through the Federal Government that may apply to the loan.

''(4) The names, addresses, telephone numbers, and Internet addresses of counseling agencies or programs reasonably available to the consumer that have been certified or approved and made publicly available by the Secretary of Housing and Urban Development or a State housing finance authority (as defined in section 1301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989).

''(5) The address, telephone number, and Internet address for the State housing finance authority (as so defined) for the State in which the consumer resides.

''(g) MOST RECENT CONVENTIONAL MORTGAGE RATE.—For purposes of subsection (f)(1)(A)(ii), the term 'most recent conventional mortgage rate' means the contract interest rate on commitments for fixed-rate first mortgages most recently published in the Federal Reserve Statistical Release on selected interest rates (daily or weekly), and commonly referred to as the H.15 release (or any successor publication), in the week preceding a date of determination for purposes of applying this subsection.

''(h) DUTY OF CONSUMER TO MAINTAIN PROPERTY.—Any eligible deferred-foreclosure consumer for whom a deferment of foreclosure is in effect under this section with respect to any eligible deferred-foreclosure mortgage may not, with respect to any property securing such mortgage, destroy, damage, or impair such property, allow the property to substantially deteriorate, or commit waste on the property.

''(i) DECLARATION OF RIGHTS.—In addition to the right of any party to a mortgage to seek a declaratory judgment under section 2201 of title 28, United States Code, any such party may apply prior to the end of the deferment period to any State court of competent or general jurisdiction for an order establishing the rights, duties, and conditions imposed on or applicable to any party to the mortgage, including the terms and conditions of a deferment.

''(j) COORDINATION WITH STATE LAW.—

''(1) IN GENERAL.—No provision of this section shall be construed as annulling, altering, or affecting the laws of any State relating to deferment of foreclosures, except to the extent that those laws are inconsistent with the provisions of this section, and then only to the extent of the inconsistency.

''(2) RULE OF CONSTRUCTION.—A State law is not inconsistent with this section if the protection that such law affords any consumer is greater than the protection afforded by this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 2 of the Truth in Lending Act is amended by inserting after the item relating to section 128 the following new item:

''128A. Foreclosure deferment and reset notification for certain mortgages.''.

SA 2392. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of law, the Secretary of Transportation may not reallocate any funds made available through any Act of Congress from the intermodal transportation facility at the Bronx Zoo, New York to any other purpose. Funds appropriated for such facility that are due to expire on September 30, 2009, shall continue to be available for such purpose until 1 year after the date of the enactment of this Act.

SA 2393. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill H.R. 3847, making appropriations for the Departments of Commerce and Justice, and Science, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, between lines 23 and 24, insert the following:

SEC. 5____. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SA 2394. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

PROHIBITION ON USE OF FUNDS

SEC. 4____. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SA 2395. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 194, after line 23, add the following:

SEC. 1_____. None of the funds made available by this Act may be used for the construction, maintenance, or development of the California-Nevada Super Speed Train Commission for the MAGLEV project to create a travel corridor between Las Vegas, Nevada, and Anaheim, California.

SA 2396. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 264, line 9, strike ''Provided, That'' and all that follows through ''this Act.'' on line 12, and insert the following: ''Provided, That the Secretary of Housing and Urban Development shall award such amounts without regard to any congressionally directed spending item (as defined in rule XLIV of the Standing Rules of the Senate) or any congressional earmark (as defined in

rule XXI of the Rules of the House of Representatives) in a committee report or joint explanatory statement relating to this Act: Provided further, That such amounts shall be awarded as grants, on a competitive basis: Provided further, That the Secretary of Housing and Urban Development shall consider the following factors when awarding Neighborhood Initiative funds under this paragraph: 1) economic development strategies that utilize local community-based partnerships between businesses, non-profits and the public sector; 2) neighborhood revitalization efforts that integrate sustainable community and building design processes; 3) input by residents and other stakeholders; 4) creation of homeownership opportunities; 5) links between housing programs and welfare reform initiatives in the neighborhood; and 6) links between workforce development strategies and economic development strategies.''

SA 2397. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Section 3046(a)(22) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59) is amended—

(1) in the paragraph heading, by striking ''FUEL CELL-POWERED BUS'' and inserting ''HYDROGEN-POWERED TRANSIT''; and

(2) by striking ''Fuel Cell-Powered Bus'' and inserting ''Hyrogen-Powered Transit''.

SA 2398. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, line 7, strike ''items 523, 267, and 131'' and insert ''items 131, 267, 523, and 657''.

SA 2399. Mr. REID (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 332, after line 25, add the following:

SEC. 415. (a) Congress makes the following findings:

(1) Tourism, including conventions and meetings, is an important part of the United States economy that generates billions of dollars in tax revenues for many localities.

(2) Analysts estimate that approximately 90 percent of employers in the travel industry are small businesses and more than 12 percent of United States employees are employed by the travel industry.

(3) Many local economies around the country have developed into destinations for vacationers and conventioneers alike, and those local economies depend on the travel industry to support local employment, create new jobs, and generate tax revenues for critical public services.

(4) These same destinations are home to large and small businesses that have unique skills, amenities, and resources for planning and facilitating meetings and conventions for all purposes and, consequently, may deliver value and convenience for individuals and organizations in need of a location for an official event.

(5) Locating an official event in such a city frequently may save taxpayer dollars, as compared to other locations.

(6) Agencies and departments of the United States have a responsibility to find ways to maximize taxpayer dollars in conducting official business, including planning and conducting official meetings attended by Federal employees.

(7) In deciding where to locate an official government meeting by applying this principle of maximizing taxpayer dollars, government officials often will conclude that many locations known as resort destinations also will provide the best value and convenience for official meetings and business.

(8) Resort and vacation destination cities tend to be affected disproportionally during economic downturns and, therefore, are especially vulnerable to discrimination by meeting and convention planners, which could exacerbate unemployment and related demands on United States taxpayers.

(b) None of the funds appropriated or otherwise made available under this Act may be used by an agency or department of the United States to establish or implement an internal policy regarding travel, event, meeting, or conference locations that discourages or prohibits the selection of such a location because the location is perceived to be a resort or vacation destination.

SA 2400. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 205, strike line 12 and all that follows through page 210, line 14, and insert the following:

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(INCLUDING RESCISSION)

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $550,000,000, to remain available until expended: *Provided*, That the Secretary shall not make the grants for the third and fourth quarter of the fiscal year available to the Corporation until an Inspector General who is a member of the Council of the Inspectors General on Integrity and Efficiency determines that the Corporation and the Corporation's Inspector General have agreed upon a set of policies and procedures for interacting with each other that are consistent with the letter and the spirit of the Inspector General Act of 1978, as amended: *Provided further*, That 1 year after such determination is made, the Council of the Inspectors General on Integrity and Efficiency shall appoint another member to evaluate the current operational independence of the Amtrak Inspector General: *Provided further*, That the Corporation shall reimburse each Inspector General for all costs incurred in conducting the determination and the evaluation required by the preceding two provisos: *Provided further*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit to the Secretary, the Inspector General of the Department of Transportation, and the House and Senate Committees on Appropriations a plan to achieve savings through operating efficiencies including, but not limited to, modifications to food and beverage service and first class service: *Provided further*, That the Inspector General of the Department of Transportation shall provide semiannual reports to the House and Senate Committees on Appropriations on the estimated savings accrued as a result of all operational reforms instituted by the Corporation: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the Inspector General of Department of Transportation, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation the annual budget and business plan and the 5-year financial plan for fiscal year 2010 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008: *Provided further*, That the plan shall also include a separate accounting of ridership, revenues, and capital and operating expenses for the Northeast Corridor; commuter service; long-distance Amtrak service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That the business plan shall include a description of the capital investments to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by this business plan: *Provided further*, That the Corporation shall provide semiannual reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: *Provided further*, That the Corporation's business plan and all subsequent supplemental plans shall be displayed on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: *Provided further*, That concurrent with the President's budget request for fiscal year 2011, the Corporation shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2011 in

similar format and substance to those submitted by executive agencies of the Federal Government.

Of the amounts made available under this heading in Public Law 111–8, all unobligated balances as of the later of September 30, 2009 or the date of the enactment of this Act are rescinded.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(INCLUDING RESCISSION)

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $940,000,000, to remain available until expended, of which not to exceed $264,000,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the funding provided under this heading, not less than $144,000,000 shall be for bringing the stations on the Corporation's rail system into compliance with the Americans with Disabilities Act: *Provided further*, That grants shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management oversight of capital projects funded by grants provided under this heading, as authorized by subsection 101(d) of division B of Public Law 110–432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2010 business plan: *Provided further*, That, the business plan shall be accompanied by a comprehensive fleet plan for all Amtrak rolling stock which shall address the Corporation's detailed plans and timeframes for the maintenance, refurbishment, replacement and expansion of the Amtrak fleet: *Provided further*, That said fleet plan shall establish year-specific goals and milestones and discuss potential, current, and preferred financing options for all such activities.

Of the amounts made available under this heading in Public Law 111–8, all unobligated balances as of the later of September 30, 2009 or the date of the enactment of this Act are rescinded.

SA 2401. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 194, after line 23, add the following:

SEC. 1_____. The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended in item number 2406 (119 Stat. 1350) by striking the project description and inserting ''Construct SH 199 (Henderson St.) through the Trinity Uptown Project between the West Fork and Clear Fork of the Trinity River in Fort Worth''.

SA 2402. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Such amounts as are required from amounts provided in this Act to the Office of the Secretary of Transportation for the Transportation Planning, Research and Development program shall be used for the development, coordination, and analysis of data collection procedures and national performance measures.

SA 2403. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 318, between lines 11 and 12, insert the following:

SEC. 2_____. None of the funds made available by this Act may be used to carry out the Brownfields Economic Development Initiative program administered by the Department of Housing and Urban Development.

SA 2404. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 221, strike lines 8 through 12 and insert the following:

SEC. 166. In determining the local share of the cost of the project authorized to be carried out under section 3043(c)(70) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1644) for purposes of the rating process for New Starts projects, the Secretary shall consider any portion of the corridor advanced entirely with non-Federal funds.

SA 2405. Mrs. MURRAY (for herself, Mr. BOND, and Mr. DODD) submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC.__. The first numbered paragraph under the heading ''Tenant-Based Rental Assistance'' in the Department of Housing and Urban Development Appropriations Act, 2009 (Public Law 111–8) is amended by adding the following before the period at the end:

'': *Provided further*, That up to $200,000,000 from the $4,000,000,000 which are available on October 1, 2009 shall be available to adjust allocations for public housing agencies to prevent termination of assistance to families''.

SA 2406. Mrs. MURRAY (for herself and Mr. BOND) submitted an amendment intended to be proposed by her to the bill H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 222, strike line 11 and all that follows through page 223, line 2, and insert the following:

SEC. 169. Section 5309(g)(4)(A) of title 49, United States Code, is amended—

(1) by striking ''The total estimated'' and inserting the following:

''(i) IN GENERAL.—The total estimated''; and

(2) by adding at the end the following:

''(ii) SPECIAL RULE FOR FISCAL YEAR 2010.—For fiscal year 2010—

''(I) the total estimated amount of future obligations of the Government and contingent commitments to incur obligations covered by all outstanding full funding grant agreements entered into on or before September 30, 2009, and all outstanding letters of intent and early systems work agreements under this subsection for major new fixed guideway capital projects may be not more than the greater of the amount authorized under sections 5338(a)(3) and 5338(c) for such projects or an amount equivalent to the last 3 fiscal years of funding allocated under subsections (m)(1)(A) and (m)(2)(A)(ii) for such projects, less an amount the Secretary reasonably estimates is necessary for grants under this section for those of such projects that are not covered by a letter or agreement; and

''(II) the Secretary may enter into full funding grant agreements under this subsection for major new fixed guideway capital projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.''.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, September 17, 2009, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to examine the Federal tax treatment of health care benefits provided by tribal governments to their citizens.

Those wishing additional information may contact the Indian Affairs Committee at 202–224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MURRAY. Mr. President, I ask unanimous consent that the committee on armed services be authorized to meet during the session of the Senate on September 15, 2009, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. 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 September 15, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 15, 2009 at 10 a.m., in room 215 of the Dirksen Senate Office Building to conduct a hearing entitled ''Unemployment Insurance Benefits: Where Do We Go From Here?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 15, 2009 at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate, on September 15, 2009, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Human Rights at Home: Mental Illness in U.S. Prisons and Jails.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 15, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on September 15, 2009, at 2:30 p.m. to conduct a hearing entitled ''Security Clearance Reform: Moving Forward on Modernization.''

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL OVARIAN CANCER AWARENESS MONTH

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 267 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 267) supporting the goals and ideals of National Ovarian Cancer Awareness Month.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. SHAHEEN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 267) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 267

Whereas ovarian cancer is the deadliest of all gynecologic cancers, and the reported mortality rate from ovarian cancer is increasing;

Whereas ovarian cancer is the 5th leading cause of cancer deaths among women in the United States;

Whereas the mortality rate for ovarian cancer has not significantly decreased since the ''War on Cancer'' was declared, nearly 40 years ago;

Whereas all women are at risk for ovarian cancer, and 90 percent of women diagnosed with ovarian cancer do not have a family history that puts them at higher risk;

Whereas the Pap test is sensitive and specific to the early detection of cervical cancer, but not to ovarian cancer;

Whereas there is currently no reliable early detection test for ovarian cancer;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other symptoms that are easily confused with other diseases;

Whereas, due to the lack of a reliable early detection test, 75 percent of cases of ovarian cancer are detected at an advanced stage, making the overall 5-year survival rate only 45 percent;

Whereas, if ovarian cancer is diagnosed and treated at an early stage, before the cancer spreads outside of the ovary, the survival rate is as high as 90 percent;

Whereas there are factors that are known to reduce the risk for ovarian cancer and that play an important role in the prevention of the disease;

Whereas awareness and early recognition of ovarian cancer symptoms are the best way to save the lives of women;

Whereas, each year during the month of September, the Ovarian Cancer National Alliance holds a number of events to increase public awareness of ovarian cancer; and

Whereas the President has designated September 2009 as ''National Ovarian Cancer Awareness Month'': Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Ovarian Cancer Awareness Month.

HISPANIC HERITAGE MONTH

Mrs. SHAHEEN. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 268 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 268) recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and their immense contributions to the Nation.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. SHAHEEN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 268) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 268

Whereas from September 15, 2009, through October 15, 2009, the United States celebrates Hispanic Heritage Month;

Whereas the Census Bureau estimates the Hispanic population in the United States at almost 47,800,000 people, making Hispanic Americans the largest ethnic minority within the United States;

Whereas 1 in 3 United States public school students is Hispanic, and the total number of Hispanic students enrolled in our Nation's public schools is expected to reach 28,000,000 by 2050;

Whereas the purchasing power of Hispanic Americans is projected to reach $1,000,000,000,000 by 2010 and there are more than 1,600,000 Hispanic-owned firms in the United States, supporting more than 1,500,000 employees nationwide and greatly contributing to the economic sector, especially retail trade, wholesale trade, and construction;

Whereas Hispanic Americans serve in all branches of the Armed Forces and bravely fought in every war in United States history;

Whereas more than 29,000 Hispanics have served with distinction in Afghanistan and Iraq;

Whereas 140,000 Hispanic soldiers served in the Korean War;

Whereas more than 80,000 Hispanics served in the Vietnam War, representing 5.5 percent of individuals who made the ultimate sacrifice for their country in that conflict although they comprised only 4.5 percent of the United States population at the time;

Whereas as of September 11, 2009, approximately 11 percent of the more than 4,329 United States military fatalities in Iraq have been Hispanic;

Whereas there are more than 1,100,000 Hispanic veterans of the Armed Forces;

Whereas 43 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the United States Armed Forces;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including 1 seat in the Senate, 28 seats in the House of Representatives, 2 seats in the Cabinet, and 1 seat on the Supreme Court; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2009, through October 15, 2009;

(2) esteems the integral role of Latinos and their manifold heritage in the American economy, culture, and identity; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities that appreciate the cultural contributions of Latinos to American life.

ORDERS FOR WEDNESDAY, SEPTEMBER 16, 2009

Mrs. SHAHEEN. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Wednesday, September 16; 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 reserved for their use later in the day, and the Senate then proceed to a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes, the majority controlling the next 30 minutes, and the remaining time equally divided and controlled between the two leaders or their designees; that following morning business, the Senate resume consideration of H.R. 3288, the Transportation-HUD appropriations bill, as provided for under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mrs. SHAHEEN. Senators should be prepared for a series of up to five rollcall votes to be begin at approximately 11:40 a.m. tomorrow. Additional votes are expected to occur throughout the day in an effort to complete action on the Transportation appropriations bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mrs. SHAHEEN. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:16 p.m., adjourned until Wednesday, September 16, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

CYNTHIA L. QUARTERMAN, OF GEORGIA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE CARL T. JOHNSON.

DEPARTMENT OF STATE

FREDERICK D. BARTON, OF MAINE, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

CARMEN LOMELLIN, OF VIRGINIA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR, VICE HECTOR E. MORALES, RESIGNED.

CYNTHIA STROUM, OF WASHINGTON, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LUXEMBOURG.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHAI RACHEL FELDBLUM, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2013, VICE LESLIE SILVERMAN, TERM EXPIRED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

IRVIN M. MAYFIELD, JR., OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2014, VICE JERRY PINKNEY, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Tuesday, September 15, 2009:

DEPARTMENT OF JUSTICE

STEVEN M. DETTELBACH, OF OHIO, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS.

CARTER M. STEWART, OF OHIO, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS.

PETER F. NERONHA, OF RHODE ISLAND, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF RHODE ISLAND FOR THE TERM OF FOUR YEARS.

DANIEL G. BOGDEN, OF NEVADA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEVADA FOR THE TERM OF FOUR YEARS.

DENNIS K. BURKE, OF ARIZONA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF ARIZONA FOR THE TERM OF FOUR YEARS.

NEIL H. MACBRIDE, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

EXTENSIONS OF REMARKS

REMEMBERING NORMAN BORLAUG

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to offer my most sincere condolence to the family, friends and colleagues of Norman E. Borlaug—the Father of ''Green Revolution.'' Dr. Norman Borlaug applied scientific innovation, compassion for the poor and expert knowledge of agricultural practices to develop and introduce groundbreaking technologies that will forever change the prospects of the hungry and impoverished around the globe.

Borlaug's development of high-yield and disease-resistant wheat varieties bore results in Mexico, Pakistan and India that stretched the imagination of viable agriculture in developing countries. Recently, Borlaug worked to apply farming practices and methods of increasing food production to Asia and Africa and has continued to advocate the use of biotechnology to combat world famine.

World leaders will honor and continue his legacy by further applying his practices and technologies to future agriculture and food production. Dr. Borlaug has been an example for so many of us who see the hope and promise the science of biotechnology holds.

Farmers who can produce greater yields with less through agriculture biotechnology applications

A TRIBUTE TO MR. VERNON R. BUSS

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. ISSA. Madam Speaker, I rise today to honor and pay tribute to an individual who selflessly risked his life to save the life of a terribly injured Marine, former Staff Sergeant Irving Saunders. Our country has been fortunate to have dynamic and dedicated Marines who willingly and unselfishly risk their lives to keep our country safe.

We recognize Vernon R. Buss for his meritorious actions on the Guiana Airstrip, Samar Island, Republic of the Philippines on the 24 January 1945, while serving as a ground maintenance mechanic, aircraft wing. On this day while performing maintenance duties in connection with operation against Japanese forces in the Philippines, Corporal Vernon Robert Buss, United States Marine, put the life of another Marine over his own. While assisting in the rescue attempt of a crashed aircraft and its crew, Corporal Buss singlehandedly extracted the unconscious and burning body of Staff Sergeant Irving Saunders from the wreckage of a burning F4–U Corsair. With total disregard for his own safety, Corporal Buss rushed to the side of Staff Sergeant Irving Saunders and carried him away from the burning aircraft, the burning pools of gasoline, and the random detonation of .50 caliber ammunition as it ''cooked off'' from the Corsair's burning ammunition supply. Corporal Buss carried Staff Sergeant Saunders to safety, rendered first aid to him, and facilitated his evacuation to a hospital where he was treated for life threatening third degree burns over an estimated forty percent of his body. We recognize Corporal Vernon Robert Buss for his fearless personal initiative, professional dedication and sagacious bravery on 24 January 1945. His actions reflect the meritorious credit upon his person and were in keeping with the highest traditions of the Marine Corps and the United States Naval Service.

On behalf of the people of the United States, Congressman DARRELL E. ISSA, Major General Michael R. Lehnert, Commanding General Marine Corps Installations West, and all veterans who have served with courage and honor, we commemorate your service.

CONGRATULATING DAVID CAREY, RECIPIENT OF ROBERT WOODS JOHNSON COMMUNITY LEADER AWARD

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate David Carey on being honored with the Robert Woods Johnson Community Leader Award. David is currently the Human Services Co-op Board Chair of Inspire, an organization that aims to empower individuals with disabilities to direct and control their own services in a way that promotes community life.

David's journey began in 1988. One evening, as his roommate and a friend were examining a gun, it went off, shooting a bullet into his spine as he slept. In just moments, he went from dreaming of becoming a professional baseball player to facing the rest of his life with quadriplegia. While this sudden change of circumstance would deter many people, David redirected his energy to help other people with disabilities.

Today, David's leadership impacts the lives of over 500,000 people with disabilities in the Phoenix area. Since 2006, when he led a group of individuals to create Inspire, David has secured long term contracts to provide attendant care services and ensure that individuals across Arizona receive the quality of care they deserve. He has also worked with local transit authorities to create accessible public transportation throughout the Valley of the Sun.

When I was an Arizona State Senator, David would come to my office to lobby on disability issues. It did not make any difference how hot it was outside; David put in the effort and make his way to the State Capitol, usually on public transportation. I was impressed with him then, and continue to be impressed with his accomplishments now.

The Robert Woods Johnson Foundation Community Health Leaders program each year honors 10 outstanding and otherwise unrecognized individuals who overcome daunting odds to improve health and health care, especially to underserved populations in communities across the United States. The program elevates the work of these unsung heroes, like David, through enhanced recognition, technical assistance and new leadership opportunities. I know he will use these new resources to improve the lives of Arizonans with disabilities.

Madam Speaker, please join me in congratulating David Carey on being honored with the Robert Woods Johnson Community Leader Award. His dedication to creating better communities is an example for us all.

RECOGNIZING 75TH ANNIVERSARY OF FEDERAL CREDIT UNION ACT

SPEECH OF

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. SOUDER. Madam Speaker, I rise today in support of H. Res 556 recognizing the 75th Anniversary of the Federal Credit Union Act and to acknowledge the great work of credit unions throughout the Third Congressional District.

Indiana has a long history with credit unions and in fact, was the first Midwestern state to pass a law permitting their founding. In October of 1923, the first credit union in the Midwest opened its doors in Indiana. Today there are 206 credit unions throughout my state that count over 2 million Indiana residents among its members.

The Federal Credit Union Act of 1934 was originally passed, in part, to help make credit available to underserved communities. These financial cooperatives were organized by people primarily tied together by some common bond. Today, credit unions continue to provide unique services to both their members and communities.

The Chiphone Federal Credit Union of Elkhart, IN has been providing service since 1947 and today has over 17,000 members. They have strong ties to the community and received honorable mention from the Indiana Credit Union League in both the Dora Maxwell Awards and Louise Herring Awards which recognize outstanding efforts in social responsibility and community service and the credit union that best puts the credit union philosophy in action respectively.

In Auburn Indiana, DeKalb Financial Credit Union provides both superior financial service and to support local charities through service activities and donations. The Relay for Life, March of Dimes and WFGA Kite Fly have all

benefitted from its community-oriented philosophy. DeKalb Financial serves as a drop off point for Food Bank donations and this past year provided five area students scholarships for college. In addition, DeKalb Financial continues to be a proud corporate sponsor for one of the area's National Historic Landmarks, the Auburn Cord Duesenberg Museum.

The East Allen Credit Union provides quality financial services for over 2,400 members. Whether it is helping its members plan for the costs of college or assisting in the purchase of the new family car, East Allen has been an asset to the New Haven community for nearly 45 years.

Financial Members Federal Credit Union of Auburn, Indiana has been delivering quality service to the people of DeKalb County since 1972. During its years of operation, it has contributed to its valued members and surrounding community by providing low-cost financial products and service activity and donations.

In Woodburn, IN, the Financial Partners Federal Credit Union has been providing sound financial services to residents and employees of East Allen County for over 40 years. Through its regular contributions to the area food bank and the ice cream socials it hosts for its members, Financial Partners illustrates the personal attention and community-oriented service that make credit unions such unique institutions.

Founded over 75 years ago, The Fire Police City County Federal Credit Union of Fort Wayne, IN not only provides great service to its members, but has won awards from the Indiana Credit Union League for both community involvement and for demonstrating the credit union philosophy in its activities. Activities such as Making Strides Against Cancer, fundraising for the Turnstone Center for Disabled Children and Adults and volunteering for Fire Prevention Week are emblematic of credit unions commitment to the community.

Indiana Lakes Federal Credit Union in Warsaw, Indiana has been delivering quality, low cost financial services to the people of Kosciusko County for over 30 years. During this time, it has proved to be a tremendous asset to its 3,600 members and has contributed to the community through various forms of service activities and donations.

In Elkhart, IN, INVOA Federal Credit Union recently contributed $5000 to Project Healing Water to assist in its mission to aid the recovery of wounded, injured, or disabled veterans by introducing them to fishing and using these skills for lifelong recreation. Credit Union employees personally raised the funds and the contribution was used to help transport and host veterans at the 2009 event along the Albany River in Ontario, Canada. INOVA is also supporting the economic growth of its community and has partnered with the City of Elkhart to provide free internet service along the downtown Riverwalk and promote future downtown development. This commitment to service is exemplified by its President and CEO, Dallas Bergl, who recently received the Indiana Credit Union League's Professional Achievement award for his support and promotion of credit union ideals throughout Indiana.

In Goshen, Indiana, the Interra Credit Union has been recognized by the Indiana Credit Union League in nine consecutive years for its service activities. These include a financial pledge of $10,000 to assist Goshen College fund the construction of a new music building, annual scholarships for high school seniors, along with regular involvement in events like the American Cancer Socity's Relay for Life and the Michiana Menenonite Relief Sale. Interra also works to improve youth financial literacy by providing lessons and educational resources on budgeting, credit, investment and savings.

For over 70 years, ITT Employees Federal Credit Union has provided its members and community with first-rate service. Its efforts have led ITT to be recognized as the best credit union in Fort Wayne by an area newspaper survey. The nearly 4000 members of ITT are fortunate to have such a dedicated organization providing them financial services.

In my District, the Three Rivers Credit Union of Fort Wayne, Indiana was honored for its efforts to help alleviate poverty and was awarded 2nd Place in the 2008 national Dora Maxwell Awards for social responsibility. As the primary sponsor of "Canstruction," it brought together high school students and staff from various engineering and design firms to create giant structures entirely out of canned food. Over 80 members of the Three Rivers Credit Union volunteered for the event that resulted in a donation of 83,529 cans of food to the community food bank, the largest single donation in its history.

In Fort Wayne, IN the newly founded Union Baptist Federal Credit Union personifies the personal attention and community-oriented service that makes credit unions such unique institutions. Believing in self-sufficiency through empowerment, the Union Baptist Credit Union provides its 309 members quality financial services and is a welcomed addition to the Fort Wayne community.

United Credit Union in Warsaw, Indiana has been delivering quality service to the people of Kosciusko County since 1997. During the past 12 years, it has contributed to its valued members and surrounding community through service activity and donations.

The Weatherhead Federal Credit Union of Columbia City, IN provides quality financial service to over 2,000 members. Whether it is through financial counseling or low cost home loans, Weatherhead has been a tremendous asset to the Columbia City community for nearly 45 years.

IN RECOGNITION OF SUPERVALU FACILITY IN ANNISTON EARNING ACCREDITATION FROM CAMBRIDGE CENTER FOR BEHAVIORAL STUDIES

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. ROGERS of Alabama. Madam Speaker, I respectfully request the attention of the House to pay recognition to Supervalu in Anniston, Alabama, for earning accreditation from the Cambridge Center for Behavioral Studies.

The Cambridge Center, along with a consortium of universities, consulting firms and insurance companies, developed accreditation criteria in 2001. It was formed to bring behavioral-based safety programs to the work place. Supervalu is one of only seven facilities in the world that has been recognized for its behavior-based safety programs since audits began.

This accreditation demonstrates Supervalu's commitment in Anniston to help employees support and encourage each other, resulting in a positive work environment that is productive, safe and effective.

In congratulate Anniston's Supervalu for this important distinction.

ALASKA NATIVE CORPORATIONS

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. YOUNG of Alaska. Madam Speaker, today I introduce a bill that would provide Alaska Native Corporations (ANCs) with parity for an important tax incentive that promotes the permanent protection of land through the charitable donation of a conservation easement.

Primarily, conservation easements are administered under state laws while federal law offers tax benefits associated with them. Under present law, Internal Revenue Code, Section 170 allows taxpayers to take a deduction for charitable contributions of property through conservation easements.

In 2006, Congress enhanced the charitable tax deduction for conservation easements in order to further protect important habitats and encourage such gifts. Congress temporarily increased the maximum deduction limit for individuals making donations of qualified conservation easements from 30 percent to 50 percent of the taxpayer's adjusted gross income. Contributions made by corporations are deductible for up to 10 percent of their income. In the case of a qualified farmer or rancher, the limitation was increased from 30 percent to 100 percent of taxable income.

Many farmers and ranchers are owners of ecologically significant open spaces, but often have limited income. The purpose of the deduction was to create an incentive by providing these farmers and ranchers with some measure of value commensurate to that of the conservation easement donation. Qualified farmers or ranchers are defined as non-publicly traded corporations or individuals whose gross income from the trade or business of farming is greater than 50 percent of the taxpayers gross income. The temporary rules were extended for two additional years by the recently enacted Farm Bill to contributions made before December 31, 2009.

Although subsistence-based Alaskan Native communities are similarly situated to the small communal family farms that are eligible, they are ineligible for these important new tax incentives because they are Federally chartered as C corporations under the Alaska Native Claims Settlement Act of 1971 (ANCSA). Moreover, Alaska Native Corporations have insufficient gross income from the trade or business of farming to be eligible for the enhanced deduction.

Alaska Native communities continue to have a deeply symbiotic relationship with the land even today, relying on important food sources from Alaskan waters and lands. For many communities, with purchasing of food both costly and difficult, nearly 70 percent of food continues to come from the land.

Because conservation easements are the result of decades of statutory, regulatory, and case law, this legislation is crafted to ensure it does not change the underlying state law or the underlying federal tax law pertaining to conservation easements. A summary of the legislation follows.

The legislation modifies Internal Revenue Code, Section 170(b) (2) by inserting subparagraph (C), creating an exception that provides Alaska Native Corporations with a deduction for donations of certain qualified conservation easements.

Under Section 170(b)(2)(i), the maximum deduction limit would be set at 100 percent of the taxpayer's adjusted gross income.

If the taxpayer has deductions in excess of the applicable percentageof-income limitation, Section 170(b)(2) (ii) would allow the taxpayer to carry-forward the deduction for up to 15 years.

In order to be eligible, a qualified charitable conservation contribution must: (1) otherwise qualify under Section 170(h)(1); (2) be made by a Native Corporation; and (3) be land that was conveyed by ANCSA.

Section 170(b)(C)(IV) reiterates that this legislation is not meant to modify underlying state law or the underlying federal tax law in any way most notably regarding to existing property rights conveyed to ANC's through ANCSA. For example, while the easement would apply to the surface rights of the land, the Regional Corporation would continue to hold their subsurface rights and reserve their right to develop those resources through methods such as directional drilling.

The increased maximum deduction limit would apply to all contributions made in taxable years beginning January 1, 2009.

Under Alaskan law, all ANCs already have the ability to place conservation easements on their land, so communities that would like to "tie up their land" already posses the ability to do so. Additionally, current law affords eminent domain powers to governments for imposing corridors across easements. Moreover, courts have repeatedly held that lands subject to conservation easements are not protected from condemnation proceedings.

Expanding eligibility for the tax deduction for charitable donations of qualified conservation easements would give parity to Alaska Native Corporations, providing them with an incentive to permanently protect properties. In addition, the tax incentive would help provide the resources necessary to offset the costs of permanent protection.

A PROCLAMATION HONORING RONDA KINNAMON FOR 30 YEARS OF DEDICATED SERVICE TO OHIO AND THE APPALACHIAN REGION

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SPACE. Madam Speaker,

Whereas, Ronda Kinnamon was appointed as the Regional Economic Development Director for the region of Chillicothe, Ohio, because of her expertise about and dedication to Appalachian Ohio; and

Whereas, Ronda Kinnamon has, throughout her career, been of invaluable service to community economic development and small business growth; and

Whereas, Ronda Kinnamon has provided economic and job-training assistance to the people of Ohio through her service in the State Department of Job and Family Services; and

Whereas, Ronda Kinnamon has demonstrated leadership and innovation through her founding of the American Quality and Productivity Institute of Southern Ohio, which promoted economic development and job creation in Southern and Eastern Ohio: Now, therefore, be it

Resolved, That along with her friends, family, and the residents of the 18th Congressional District, I applaud Ronda Kinnamon for her distinguished record of service to Ohio and the Appalachian Region. We are grateful for her dedication and service.

HONORING TREVOR L. JAMES OF HAMMONTON TOWNSHIP, NEW JERSEY; A PRAISEWORTHY MAN AND A LOVING FATHER

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. ANDREWS. Madam Speaker, I rise today to recognize Trevor L. James, who resided in Hammonton, New Jersey for 22 years. His life was tragically cut short in a motorcycle accident.

As a child Trevor loved to laugh and play like all children, but he also had a passion for all things mechanical. He would spend endless hours figuring out how things could be put together and taken apart.

When he was 12 years old, Trevor was struck by a car while riding his bicycle. As a result of the injuries from the accident he was unable to participate in sports and other physical activities. Despite this obstacle, James kept a positive attitude. He lived his life according to his parents' philosophy; act with conscience and always with motivation.

At the age of 20, Trevor was blessed with the birth of his son Dylan. Trevor instantly matured the day Dylan entered this world. Trevor bought and restored a home in order to better care for his son. He devoted his life to being the best father he could be.

On August 1st, 2006, Trevor was in a motorcycle accident in Sicklerville, New Jersey. While driving down the road he was blindsided by another vehicle and the promise of his young life was ended. Since the accident his mother, Mrs. Janet James, has dedicated her efforts to the memory of her son Trevor. She is now a major advocate for motorcycle safety in New Jersey. Members of the community have donated a billboard to commemorate Trevor's life. The billboard is located on the highway where Trevor was struck. It shows a picture of Trevor and his son Dylan, reminding drivers to remain alert on the roadways.

Madam Speaker, Trevor James' life must not be forgotten. I want to personally thank Mrs. James for keeping her son's memory alive. As Mrs. James says, her son will be remembered for the characteristics he demonstrated everyday: truth, love, and justice.

HONORING PENNY BROPHY FOR HER SERVICE TO THE CITY OF TEMPE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. MITCHELL. Madam Speaker, I rise today to honor Penny Brophy, who is retiring from the City of Tempe after twenty four years of distinguished service. Penny possesses a quick wit and enthusiastic personality that endears her to her fellow co-workers. She also has the rare ability to interject humor in even the most stressful situations, and is always generous with her time to help her co-workers.

However, Tempe's loss is the Brophy family's gain. She will now have more time to spend with her husband, Bob and their children, Howard and Laurie. As a grandparent myself, I also know she will love having more free time to dote on her own four grandchildren—Adam, Jessican, Dylan and Sydney.

Penny, congratulations on your retirement, and I hope you enjoy your hard-earned leisure. You are a rare gem and will be truly missed.

Penny started her tenure with Tempe while I was Mayor, and I am pleased to recognize her accomplishment today. Madam Speaker, please join me in congratulation Penny Brophy on a distinguished career of service.

TRIBUTE TO UNIVERSITY OF KANSAS DEBATORS BRETT BRICKER AND NATHAN JOHNSON FOR THEIR CHAMPIONSHIP AT THE NATIONAL DEBATE TOURNAMENT

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. MOORE of Kansas. Madam Speaker, I am pleased to have this opportunity to congratulate the collegiate policy debate team of Brett Bricker and Nate Johnson from the University of Kansas on their National Debate Tournament championship this spring.

Nearly 80 teams competed in this year's National Debate Tournament, held in Austin, TX. After 10 challenging rounds of debate, Bricker and Johnson defeated the defending national champions from Wake Forest to bring home the title. While less prominent than its athletic counterparts, collegiate policy debate is a competitive, academic activity that exists in universities across the Nation. Students spend countless hours throughout the academic year reading articles and forming arguments to debate a national topic on both sides. In addition to the grueling work required by the activity, students must also keep up with their schoolwork, all without the benefit of scholarships.

I am pleased to share with the other members of the House of Representatives a recent article in Kansas Alumni magazine chronicling the champions' story. I ask that my colleagues join me in congratulating Brett Bricker and Nate Johnson on their championship.

RAISE THE BLUE BANNER—THERE'S NO ROOM FOR ARGUMENT: KU'S DEBATE TEAM IS THE BEST IN THE LAND

(By Joe Miller)

While other Kansas seniors are enjoying spring break on beaches in Florida, Brett Bricker is in cold, damp Lawrence, his nose buried in books. He reads all day, every day, taking short breaks now and then to grab some food. And he keeps reading while he eats. At night he can't sleep, so he gets up and reads some more, plowing through thick, mind-numbing books about the global economy and farm subsidies, and dense articles culled from peer-reviewed journals.

It's grueling, but this is March—tourney time. Bricker knows he must give his all if he wants to bring the national championship trophy back to KU.

When he needs a break from reading, he trudges across an empty campus to Bailey Hall, downstairs to the basement, to meet with his teammate, fellow senior Nate Johnson. It's a messy place, with tables and study carrels stacked with books and photocopied articles, reams and reams of them, and accordion tile folders and pens and highlighters. And trophies. Lots and lots of trophies.

''There's too many trophies,'' he says. ''Not enough room for all of them.''

But Bricker, a math major, and Johnson, a double major in philosophy and political science, have spent four years doing all they can to add to the clutter. They first set foot in this place when they were high school students and were blown away by the winning tradition showcased on its walls, which are covered with banners: yellow and red for Final Four finishes, burgundy for ending the regular season ranked No. 1, and four KU blue ones for national championships: 1954, 1970, 1976 and 1983. ''When you get here, you want to work as hard as you can to enshrine your name here,'' Johnson says.

Among the banners are several bearing their names, each for perfectly admirable accomplishments such as earning top seed in a championship tournament or finishing in the finals or Final Four. But those aren't good enough for Bricker and Johnson. The banners that bear their names aren't Jayhawk blue.

Folks sometimes compare KU's debate program to its storied basketball program. But that's really doing a disservice to debate. Over the past 50 years, the Jayhawks won the National Debate Tournament four times, made it to the NDT Final Four on 13 occasions, and have qualified for the tourney every year since 1968.

And, unlike basketball, they do it all without the benefit of full-ride scholarships. The Jayhawk debate squad, a perennial national top 10, is a team of walk-ons. ''Our students debate because they love debate,'' says coach Scott Harris.

Despite its success, Kansas doesn't attract the nation's top high school debaters the way rivals do. Other top-ranked debate programs, such as Northwestern, Emory, Harvard, Dartmouth and California-Berkeley, reload every season with champion debaters from the best prep schools in the country. Kansas builds its success with in-state students who had little opportunity to compete at the national level.

''Kansas has a great tradition of taking kids who weren't especially good debaters in high school and making them into champions,'' Bricker says.

He and Johnson are perfect examples. Both debated in high school, Johnson in Manhattan and Bricker in Wichita. And though both qualified for the national championship tournament, along with hundreds of other kids, neither made it to elimination rounds, much less the Final Four or championship.

Yet now they're heading into the final tournament of their college careers, the storied National Debate Tournament, as the second-ranked team in the nation, having been edged out of the top spot by Northwestern in February after a season-long, neck-and-neck battle.

It would have been nice to finish No. 1, of course. But in the big scheme of things, it doesn't matter. All that matters now—indeed, maybe all that ever has mattered—is the NDT.

Last year, Kansas got knocked out in the Elite Eight. Same thing the year before.

Now the Jayhawks have one last chance to win it for themselves, and for their coach, who, despite an outstanding record in his 18 years in Lawrence, has never won the big one.

Harris came to Lawrence in 1991, after a five-year stint as director of debate for the University of Louisville, where, truth be told, he was beginning to feel disillusioned with the game. It's a high burnout activity,'' he explains.

Observing Bricker and Johnson as they prepare for the NDT, it's easy to see why. Each works more than 40 hours a week on debate during the regular season, much more at championship time. This is in addition to school. And neither of them sloughs off their schoolwork. Both are graduating with honors and have shored up plans to continue their studies, Johnson in law school and Bricker as a master's student in KU's communication studies program.

Coaching is even more demanding. In addition to managing several dozen debaters and nine assistant coaches (grad students in the communication studies department), and traveling to 18 tournaments a year, Harris also teaches two classes each semester.

Yet he feels more excited about debate today than ever, he says, ''because of the quality of students we've had here at Kansas. I really feel like I've been spoiled. We've had really good people. I don't know what it is about Kansas. Maybe it's something in the water that produces kids of high character.''

Also, he gets a lot of help from the administration and alumni. Support for debate has always been strong. It helps, for instance, that the chair of the communication studies department is not only a former KU debater but also a national champion: Professor Robert Rowland, c'77, PhD'83, won the NDT in 1976 with teammate Frank Cross, c'77. But support strengthened in 2001, when Chancellor Robert E. Hemenway formed the KU Debate Advisory Committee, a group of faculty and alumni that raises funds for the program and builds community across generations of KU debaters.

Mark Gidley, c'83, c'83, who serves on the committee and helped win Kansas' last national championship, in 1983, says the effort has benefited the program and alumni. ''We've had a number of reunions,'' he says. ''It's been amazing to make connections between debaters from the '40s and '50s and the '80s and '90s and to see that we all had the same experiences.''

RECOGNIZING THE MOUNTAIN VIEW LITTLE LEAGUE'S ALL-STAR BASEBALL TEAM

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. MITCHELL. Madam Speaker, I rise today in recognition of the Mountain View Little League's All-Star team, which won the 2009 Junior League Baseball World Series. I share the pride of from around my Congressional District and state that this inspiring and hard-working team hails from our community.

After a 24-game winning streak, the Scottsdale-based team claimed the World Series title, beating a team from Aruba. However, it is not just their impressive record or title that makes them an exceptional team. Their qualities of dedication, hard work and perseverance brought the team to victory. As a former teacher and coach, I know from experience the importance of these values, which are essential both on and off the field.

Therefore, I am truly privileged to celebrate the win of such a determined and good-spirited team. The team's heart and unity has paid off and should serve as an inspiration for all. I have high hopes for all members of the team and I am confident that they will continue to make Arizona proud, whether in baseball or any other future endeavors.

Madam Speaker, I am honored to enter into CONGRESSIONAL RECORD the names of the Mountain View Little League's All-Star team: Jake Anderson, Dylan Cozens, Michael DeRegis, Jimmy DiTroia, Cody Erickson, Lucas Jacobi, Zac Janikis, Grant Martinez, Duncan Morfitt, Ryan Riggs, Michael Salazar, Luc Trotta, Mo White; Coaches Jim DiTroia, Darin Trotta and Manager Steve Erickson.

TRIBUTE TO MIDLAND BERRYHILL AMERICAN LEGION POST 165 BASEBALL TEAM

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. CAMP. Madam Speaker, I rise today to commend the team members of the Midland Berryhill American Legion Post 165 baseball team on winning the American Legion World Series on Tuesday, August 18, 2009. They have represented the state well with their perseverance and athleticism, and we are very proud of their national accomplishments.

Berryhill's 11–4 win over the Medford, Oregon Mustangs completed a five-game unbeaten run through the World Series. This is Berryhill's first ever national championship.

Additionally, Berryhill, a 19 and under travel team comprised of players from mid-Michigan and rooted in Midland, consistently outscored their opponents with strong hitting and solid defense throughout the series.

Team members include: Cole Martin, Kenny Babinski, Jordon Herman, Larsen Cronkright, Garrett Yatch, Nate Kuehne, Jordon Dean, Sean Hartman, Alex Rapanos, Eric Dawson, Matt Cresswell, Kenton SanMiguel, Ryan Longsteth, Kyle O'Boyle, Ben Singer, Eric Peterson, Chad Mayle, Max Yatch, and Jake Enszer. The team's coaching staff includes Dan Cronkright, and Patrick Dawson, while Steve Cronkright serves as the team manager.

I am honored today to recognize the Midland Berryhill American Legion Post 165 baseball team for their accomplishments, and congratulate them on their outstanding performance.

A TRIBUTE TO HELEN KLEGBERG GROVES

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SCHIFF. Madam Speaker, I rise today to recognize Helen Kleberg Groves, who will be honored on October 3, 2009 at the Autry National Center's Annual Gala, ''Celebrate the Spirit: Women of the West.'' The Autry National Center's mission is to tell the stories of all the diverse peoples of the American West, and that is reflected in the themes of their Galas—this year's theme, 'Celebrate the Spirit: Women of the West' reflects the often neglected stories of Western women.

Helen Kleberg Groves is a true Texas cowgirl, a mother, a grandmother, an author, and a philanthropist with a heart as big as the King Ranch, her family home. Groves was born in San Antonio on October 10, 1927, the child of Robert J. Kleberg Jr. and Helen C. Kleberg. She was reared on the 825,000-acre ranch in South Texas, where she learned about ranching, line breeding, genetics, and working cattle from her father.

She attended Henrietta M. King High School in Kingsville; St. Mary's Hall in San Antonio; and Foxcroft School in Middleburg, Virginia. She also attended Vassar College in Poughkeepsie, New York. In addition to raising five daughters and a son, Groves made time for civic work while spending a lifetime in ranching and livestock. For more than 30 years, from 1956 to 1988, she was on the board of directors of King Ranch Inc.

She is president of the Robert J. Kleberg Jr. and Helen C. Kleberg Foundation, established in 1950 by her parents. The foundation has funded countless projects in Texas and across the country, particularly in the areas of biomedical research, health services, higher education, and veterinary and wildlife projects.

Ms. Kleberg Groves has been called an ambassador to the equine industry for her support of equine research and contributions to the development of the American Quarter Horse.

Known as the ''First Lady of Cutting,'' Groves has spent decades breeding, raising, and riding cutting horses. She began competing in cutting horse events in 1972 and took many championships until she retired from competition. She is a member of the National Cutting Horse Association Hall of Fame, National Cowgirl Hall of Fame, and the Texas Cowboy Hall of Fame.

Among her numerous honors is the Order of Australia from the Governor General of Australia. She was only the second American to receive this award. She is emeritus director of the U.S. Equestrian Team and a lifetime vice president of the Texas and Southwest Cattle Raisers Association.

I ask all Members of Congress to join me in paying tribute to Helen Kleberg Groves, an inspiring individual—and true Woman of the West.

IN TRIBUTE TO GRAHAM HIGH SCHOOL WRESTLING COACH RON McCUNN

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. JORDAN of Ohio. Madam Speaker, I am honored today to commend to the House the life and career of my friend and former wrestling coach, Ron McCunn, who passed away last month at age 63.

Ron McCunn coached at Graham High School in St. Paris, Ohio, for 23 years. During his career, he led Graham's wrestlers to their first three state championships (1982, 1998, and 2001). His hard work, dedication, and discipline not only brought national recognition to the wrestling program, but also had a positive impact on the students, athletes, and families whose lives he touched.

In addition to his coaching duties, Coach McCunn taught chemistry and physics at Graham.

Madam Speaker, a ceremony was held at Graham High School on Saturday, September 12, marking Coach McCunn's years of service and devotion to his students. I was honored to join former teammates, students, and friends from throughout the region in celebrating his contributions and accomplishments. I offer my sincerest condolences to his wife, Dale; their son, Steve; Ron's mother, Peggy; and all of their family and friends.

CONGRATULATING SCOTTSDALE DEPUTY FIRE CHIEF JAMES FORD

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Scottsdale Deputy Fire Chief James Ford for his induction into the Arizona Fire Service Hall of Fame on September 10, 2009. Chief Ford will be recognized for his continued dedication and service to the community. The Arizona Fire Service Hall of Fame recognizes those who make constructive contributions to their community.

Throughout his career, Chief Ford has worked tirelessly to promote the safety and security of the Scottsdale community, and his efforts have saved countless lives. He has dedicated much of his career to ensuring the safety of every community member by pushing for the installation of residential and commercial sprinkler systems. His pioneering research and advocacy on behalf of mandatory sprinkler systems, which activate automatically during a fire emergency to preserve lives and property, has established Scottsdale as a national and international leader in fire safety.

I am proud to represent such a compassionate and hard working individual in my district. Not only have his efforts benefited the community, but he has inspired communities elsewhere to develop and implement mandatory sprinkler ordinances.

Therefore, I urge you Madam Speaker to join me in recognizing and congratulating James Ford on his recent induction and his lasting contributions to his profession and community.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. GERLACH. Madam Speaker, unfortunately, on Monday, September 14, 2009, I missed three recorded votes on the House floor. Had I been present, I would have voted ''yea'' on rollcall 696, ''yea'' on rollcall 697, and ''yea'' on rollcall 698.

HONORING THE LIFE OF PORT AUTHORITY OF NEW YORK AND NEW JERSEY AVIATION DIRECTOR WILLIAM DECOTA

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. ROTHMAN of New Jersey. Madam Speaker, I rise today to celebrate the life—and mourn the passing—of Port Authority of New York and New Jersey (PANYNJ) Aviation Director William DeCota.

Bill DeCota was appointed director of the world's largest aviation system in 1999. As Aviation Director for PANYNJ, he supervised the management of a diverse portfolio of airports, from international hubs like Laguardia and Kennedy to Teterboro, a general aviation reliever airport located in my congressional district in New Jersey. Before assuming the position of Aviation Director, Bill served PANYNJ as Deputy Director of Aviation, Assistant Director for Business and Properties, and Manager of Business and Financial Services for the Aviation Department.

In all aspects of discharging his responsibilities, Bill was superlative. He oversaw the largest airport improvement program in the history of the United States, and he brought his keen expertise of airport congestion to bear on one of the Nation's most crowded air corridors. During my time in Congress, I have fought to reduce airport overcrowding and aircraft noise pollution, as well as increase safety at Teterboro and all of our national airports. In that fight, Bill was an ally, partner, mentor, and friend. His institutional knowledge and acute understanding of the difficulties faced by people living near airports, as well as his consistent good humor and positive outlook, made him indispensible. He will be sorely missed.

In the wake of his untimely passing, Bill leaves a legacy of safer air travel and improved quality of life for airport neighbors. He gave back to the community as richly and generously in his personal life as he did in his career, serving—in addition to positions on a variety of aviation-related boards—as president of the Queens Council of the Boy Scouts of America.

Madam Speaker, Bill DeCota was a public servant of the highest order; humble, capable and knowledgeable. I rise today to applaud his achievements, mourn his passing, and express my heartfelt condolences to his friends, family and coworkers. New Jersey, and the country, are poorer for having lost him.

EXPRESSING SENSE OF THE HOUSE REGARDING SEPTEMBER 11, 2001

SPEECH OF

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. BALDWIN. Mr. Speaker, I rise on the eighth anniversary of September 11th to commemorate this momentous day in American history. My heart goes out to the thousands of innocent people who were taken from their loved ones and fellow citizens, and I am mindful of the many sacrifices made by the members of our armed forces and their families as they stand in harm's way to protect our great nation.

The victims of the September 11th attacks were a microcosm of America. In the Twin Towers, on the hijacked planes, at the Pentagon, there were mothers, fathers, sons, daughters, brothers, sisters, friends; there were millionaire bond traders and minimum wage busboys; there were service men and women, police officers and firefighters; there were people of every race and religion, from dozens of countries, all with their own dreams and disappointments; all bound by an invisible thread . . . our common humanity. And we are forever bound to them, and to each other.

September 11th, 2001 was one of our nation's darkest days. But it illuminated some simple and important truths . . . that it means something special to be an American—something more than the happenstance of where you were born. It relates to the unending quest on the part of ''we the people'' to ''form a more perfect union'' and to a concept of the common good. Being an American means having a commitment to our collective well-being.

In memory of all those who perished on September 11th, in respect to the survivors, in gratitude to the rescuers, and for the sake of ourselves and our posterity, I recall the words of President Kennedy: ''Let us not be blind to our differences—but let us also direct attention to our common interests and to the means by which those differences can be resolved. And if we cannot end now our differences, at least we can help make the world safe for diversity. For, in the final analysis, our most basic common link is that we all inhabit this small planet. We all breathe the same air. We all cherish our children's future. And we are all mortal.''

Mr. Speaker, during the vote on H. Res. 722, a resolution expressing the sense of the House of Representatives regarding the terrorist attacks launched against the U.S. on September 11th, 2001, I was absent from the House. I want my colleagues and constituents of the 2nd District of Wisconsin to know that I intended to vote yes on this resolution. I am grateful to my colleagues, Mr. HOYER and Mr. BOEHNER, for their work in seeing it passed.

A PROCLAMATION CONGRATULATING FLORENCE LEWIS ON ACHIEVING HER 100TH BIRTHDAY

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SPACE. Madam Speaker,

Whereas, Florence Lewis will soon celebrate her 100th birthday; and

Whereas, Florence Lewis continues to be a positive influence on the lives of others and contributes to her state and country; and

Whereas, she strives to continue her good works of public service and provides inspiration, grace, and love to her family and her community: Now, therefore, be it

Resolved, That along with her friends, family, and the residents of the 18th Congressional District, I commend and thank Florence Lewis for her contributions to her community and country.

RECOGNIZING THE 40TH ANNIVERSARY OF THE MINORITY BUSINESS DEVELOPMENT AGENCY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of H. Res. 215 to celebrate the 40th Anniversary of the Minority Business Development Agency, a member of the Department of Commerce.

Established on March 5, 1969, the Minority Business Development Agency is the only federal agency specifically created to foster the establishment and growth of minority-owned businesses in America. With five regional offices in Atlanta, Chicago, Dallas, New York and San Francisco, the Minority Business Development Agency network offers a broad range of services to minority entrepreneurs that are strategically located in areas with large concentrations of minority businesses. As a Representative of an area with a large concentration of minority-owned businesses, and as a business owner myself, I am especially aware of the necessity for the services provided by the Minority Business Development Agency business specialists.

Created in the midst of the Civil Rights Era, the Minority Business Development Agency has participated in many extraordinary events and left an impressionable footprint in its four decades of work. It participated with the International Trade Administration in the first trade mission to Bahrain, and many ITA missions with minority business delegations followed due to the success of this mission. Additionally, the Agency coordinated and supported disaster relief efforts for minority businesses following the devastating aftermath of the 1992 Los Angeles riots and the hurricanes that ravaged many of the coastal communities along the Gulf of Mexico.

With a current focus on access to capital for minority-owned businesses, I look forward to celebrating the future success of this organization. I urge my colleagues to join me in commending the Minority Business Development Agency on its 40 years of prosperity and endeavoring to advance minority businesses in our nation.

HONORING HISTORIC YELLOW SPRINGS

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. GERLACH. Madam Speaker, I rise today to honor Historic Yellow Springs on the 35th Anniversary of its founding as a non-profit organization committed to preserving and enhancing one of the true historical treasures in Chester County, Pennsylvania.

Thanks to the vision and leadership of Connie Fraley and other founders of Historic Yellow Springs, the organization purchased the picturesque 145-acre site and 13 historic buildings on the property in 1974.

The property traces its history back to the early 1700's when Lenape Indians first discovered ''yellow water'' bubbling from the ground. Stone ruins from America's first military hospital, which treated injured soldiers from the Valley Forge encampment during the Revolutionary War, are also part of the property. And the beauty of the property has inspired impressionistic painters and artists from the Pennsylvania Academy of the Fine Arts Country School during the early part of the 20th Century.

Since establishing Historic Yellow Springs as a non-profit organization in 1974, the talented staff and dedicated members of the Board of Directors have done a tremendous job of offering creative programming to teach generation after generation about the history of the property and to provide exceptional educational and artistic opportunities by holding classes in the library, Connie's House and the Barn Studio.

Staff and the Board of Directors will celebrate the 35th Anniversary during Founders Day on Sunday, September 20th and dedicate the recently restored Iron Spring Gazebo in the memory of Founder Connie Fraley.

Madam Speaker, I ask that my colleagues join me today in congratulating Historic Yellow Springs as it celebrates this memorable milestone and in expressing sincere appreciation for the exemplary work of the staff and Board of Directors.

COMMEMORATING MRS. MARGARET BROSSETT WILLIAMS ON THE OCCASION OF HER 100TH BIRTHDAY

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September, 15, 2009

Mr. ALEXANDER. Madam Speaker, it is with great pride and pleasure that I rise today to commemorate Mrs. Margaret Brossett Williams on the occasion of her 100th birthday.

On September 28, 1909, Williams was welcomed into this world by John and Vedaline Brossett in Cloutierville, La. She is the last surviving sibling of ten children born to this union.

She married James Houston Williams on October 12, 1928. They were the proud parents of four children: James Dewey Williams, Robert Earl Williams, William Ray Williams and Patsy Jean Williams.

At the very young age of 37, Williams became a widow when her husband passed away unexpectedly in 1946. Her considerable strength and determination was apparent as she raised her four children on her own.

Williams credits her happiness to being surrounded by family and friends. Today, as she has outlived her four children, Williams is encircled by the love of her grandchildren, great-grandchildren and great-great grandchildren.

Baptized on May 6, 1910 at St. John the Baptist Catholic Church in Cloutierville, she is deeply committed her Catholic faith. Williams still recites her rosary every night before she goes to sleep and is a faithful member of St. Rita Catholic Church in Alexandria, La.

As her friends and family prepare to join together on September 27, 2009, for a mass in her honor, Williams continues to exemplify a strong character of dedication, compassion and devotion.

I ask my colleagues to join me in congratulating Mrs. Margaret Brossett Williams on this truly significant birthday.

HONORING LOUIS T. CAMPESE

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. ARCURI. Madam Speaker, I rise today in honor of Mr. Louis T. Campese, a resident of my district in Upstate New York, for his heroic service during World War II and his ongoing work on behalf of our nation's veterans.

Mr. Campese served on the U.S.S. *Patterson* (DD–392), a naval destroyer stationed at Pearl Harbor during the Japanese attack of December 7, 1941. That morning, Mr. Campese and two of his comrades nearly lost their lives while rescuing a drowning sailor. For his extraordinary actions during the attack on Pearl Harbor and his service during World War II, Mr. Campese was awarded several medals, including the Pearl Harbor Medal, the World War II Victory Medal and the American Defense Service Medal.

Each year Mr. Campese reunites with other surviving shipmates of the U.S.S. *Patterson* to reminisce about their service together and reinforce the bonds of friendship. Mr. Campese served previously as treasurer for the Pearl Harbor Survivors Association, Inc., and remains active in various veterans' organizations.

Madam Speaker, I am proud to recognize the extraordinary service Mr. Campese rendered on behalf of our nation during a time of great crisis. His bravery in the face of tremendous peril is an example for us all. I ask my colleagues to join me in recognizing Mr. Campese and the many men and women willing to risk their lives in defense of the principles and freedoms we as a nation hold dear.

HONORING DOLPH CHIANCHIANO

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. McDERMOTT. Madam Speaker, I rise to honor Dolph Chianchiano, Senior Vice President for Health Policy and Research for his 30 years of service to the National Kidney Foundation.

As the co-chair of the Congressional Kidney Caucus, I have had the honor of working with the NKF and Dolph to educate my colleagues about the impact of kidney disease, and to shape policy and legislation to make the lives of patients better.

Being from Seattle, where dialysis treatments were first used, I have seen the power of research and innovation in the treatment of kidney disease. People live longer, more productive lives with kidney failure, and we continue to learn more every day.

Dolph Chianchiano has contributed to the understanding we now have about kidney disease in his role of administrator of NKF's research program, which has awarded nearly $80 million in grants in his tenure. He made the important decision to expand the program to include not only physician research, but other members of the renal health care team: nurses, dietitians and social workers. He has cultivated a cadre of researchers, providing early career grants to researchers that go on to devote a career to improve the lives of kidney patients. Many kidney professionals have remarked, "I got my start through an NKF research grant."

Dolph has also been a tireless advocate for more research funding at the federal level, helping to guide the research agenda of the National Institutes of Health and other federal agencies. In the past three decades, we have seen many advances, and hopefully more will come, as we improve the treatment for kidney disease.

I have worked with the NKF for the 20 years I have been in Congress, and I look forward to many more years working with Dolph and the others associated with the Foundation. Congratulations on 30 years of service to kidney patients. I applaud you and wish you well.

IN HONOR OF SARA BIESIADNY OF GRAPEVINE, TEXAS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. MARCHANT. Madam Speaker, I rise today to recognize Sara Biesiadny of Grapevine, Texas. Sara has been selected as a regional winner of a ConvaTec Comeback Kids Award. This very important program honors annually a group of individuals living with intestinal diseases or recovering from ostomy surgery.

The Great Comebacks Awards Program honors the achievements of children and teenagers living inspirational lives with Crohn's disease, ulcerative colitis and/or an ostomy. This year marks the 25th anniversary of the Great Comebacks Program. Each year regional awards are given to 12 people throughout the United States who have struggled with a chronic condition and have shown extraordinary strength and courage. Recipients are selected for having managed, despite daily struggles with their conditions, to live full and productive lives. In March of 2010, one of these recipients will receive the national Great Comebacks Award.

My constituent Sara, born with birth defects of the spine, bladder and colon, received an ostomy shortly after birth. Despite this rough start in life, Sara has never wasted a moment's thought on "why has this happened to me?" In fact, she has refused to let her ostomy and other medical conditions get in the way of pursuing her love of sports and science. Even though Sara has undergone continuous medical procedures and surgeries since birth, she won't sit on the sidelines, and enjoys playing softball and basketball and swimming. In fact, as a freshman, she set her mind to join the high school golf team and has enjoyed three solid seasons with the team. Sara also has excelled academically. Sara, 17, is currently a high school senior and encourages others suffering from bowel diseases to remember, "Having an ostomy or bowel disease does not define who you are, only you can do that."

The Great Comeback Awards Program raises awareness of quality-of-life issues for people with Crohn's disease, ulcerative colitis, colorectal cancer and other diseases that can lead to ostomy surgery. These diseases are painful and debilitating; and while ostomy surgery is a procedure that can be life saving, it is also life-changing for patients of all ages. The spirit and courage with which a patient embraces life after ostomy surgery is what the Great Comebacks Program celebrates. My best wishes to Sara and her family.

COMMENDING THE AMERICAN LEGION POST 3

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. ALEXANDER.

Madam Speaker, I rise today to commemorate The American Legion Post 3 for their hard work, service and dedication to the Alexandria/Pineville area, and to the nation.

In 2009 alone, The American Legion Post 3 donated $34,500 to more than 30 laudable organizations throughout central Louisiana. Post 3 will be honored with a "Legiontown USA" program and subsequent ceremony on September 16, the anniversary of the organization's congressional charter, as American Legion Day.

The "Legiontown USA" campaign was recently introduced to increase awareness of the activities and efforts of local posts in communities throughout the United States and worldwide. This movement is beneficial for it gives our courageous veterans the recognition they deserve.

On a national level, The American Legion is a patriotic, non-profit organization devoted to advocating for our veterans on Capitol Hill. It is an honor and privilege to have such a prominent and compassionate institution in the 5th District of Louisiana.

Madam Speaker, I ask my colleagues to join me in commending The American Legion Post 3 for their loyalty and dedication to our nation's veterans, as well as for their tremendous service to the communities of central Louisiana.

A TRIBUTE HONORING SALESIAN HIGH SCHOOL'S CHAMPIONSHIP VOLLEYBALL TEAM FROM BOYLE HEIGHTS IN LOS ANGELES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to recognize and commend an extraordinary group of highly motivated and talented high school volleyball players and their coach from the Boyle Heights area of Los Angeles in the 34th District who were crowned champions of California Interscholastic Federation (CIF)-Southern Section Division V in May.

When people talk about Salesian High School's run at the championship, they talk about an unlikely coach and an equally unlikely group of young men for whom volleyball has become more than a game.

The team's coach, Elliott Walker, is a math teacher who learned the basics about volleyball by reading library books. With his compact body and beard, he doesn't exactly fit the stereotype of a volleyball coach. As for the players, the Salesian roster mirrors a student body that is 96 percent Latino, and few of the kids played volleyball before arriving as freshmen.

However, with a defensive style that emphasizes keeping the ball in play, Salesian's team, called the Mustangs, more than compensates for its lack of height and experience. The Mustangs try to throw other teams off-balance with quick transitions, giving opponents less time to settle defensively. This approach suits their coach who, ever the mathematician, asks players to line up with shoulders perfectly angled and teaches his players precise steps for each situation. Hitters aim at nine distinct areas across the net like keys on a cellphone, beginning with high-percentage shots to No. 1, then No. 3, and so on.

After consecutive runner-up finishes in 2007 and 2008, the second-seeded Mustangs ventured to suburban Orange County this year for a shot at the title. While the Mustangs built a respectable program on sweat and guile, the team from the Boyle Heights school faced a formidable match-up. After all, Salesian faced volleyball royalty in the form of St. Margaret's of San Juan Capistrano. In addition to being made up of big kids from a beach town, St. Margaret's team is led by Coach Karch Kiraly, a legend in the sport, whose two sons are on the team's roster.

After four hard-fought games, the final match ended when senior outside hitter Bernard Luna smashed his eighth kill of game four, giving the all-boys school from East Los Angeles its first-ever section title in the sport. Luna finished with 22 kills, two blocks and a service ace in an overall spectacular performance. This was not a one-man effort. Cameron Walker, Jacob Porter, Aaron Turcios, brothers Steven and Ivan Godinez and Erwin Ramirez were the other starters who contributed. Anthony San Jose and John Mora also had their moments off the bench.

Bernard Luna, a senior outside hitter who averaged 18 kills per game for the Division V champion Mustangs, was named CIF Player of the Year. Salesian's Elliott Walker was named Coach of the Year. And, juniors Erwin Ramirez and Cameron Walker were named to the First Team All-CIF.

But the players success extends well beyond the volleyball court. All nine seniors on last school year's championship volleyball team are currently enrolled at four year colleges, including Luna, who earned an athletic scholarship to Hope International University.

Madam Speaker, on behalf of the 34th Congressional District and the state of California, I ask my colleagues to join me in congratulating Salesian High School's volleyball team on their remarkable achievements and extending to this school year's team our best wishes for the upcoming season. They are truly an inspiration, on and off the volleyball court. After all, as they have shown, with determination, teamwork and a lot of hard work, anything is possible.

PERSONAL EXPLANATION

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. KING of New York. Madam Speaker, due to a homeland security matter I was detained this evening and missed rollcall #696. Had I been present, I would have voted ''aye.''

PATRICK SWAYZE—ACTOR—ADVOCATE—TEXAN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. POE of Texas. Madam Speaker, I rise today to remember Patrick Swayze, actor and advocate. Swayze died at the age of 57—yesterday—September 14, 2009 after a long battle with pancreatic cancer. He was born in Houston, Texas, on August 18, 1952 to parents, dancer and choreographer Patsy Swayze, and the late engineer draftsman, Jesse Swayze.

A great actor, singer and dancer and an outstanding native Texan, Swayze had a long and distinguished career that made him an American icon. Known for his work in many films including ''The Outsiders'', ''Dirty Dancing'', and ''Roadhouse,'' Swayze has been gracing the big screen for over four decades. He received four Golden Globe nominations for his performances in ''Ghost'' and ''To Wong Foo, Thanks for Everything! Julie Newmar''.

Patrick Swayze had been suffering from pancreatic cancer since January 2008. Despite his own illness, Swayze's unwavering dedication to bring awareness and fight cancer remained clear until his final days. He recently wrote a letter to Congress asking for support and funding towards the National Institutes of Health for treating cancer as well as other life threatening illnesses. Swayze brought necessary attention to pancreatic cancer by making fellow Americans aware that ''more than 1.4 million will be diagnosed with cancer in their lifetimes,'' and reminding them ''that they are not alone.''

Patrick's rise to fame began at Waltrip High School in Houston. After graduation, he enrolled in San Jacinto College, located in the second district of Texas, to focus on gymnastics. His training allowed him to take his first step toward stardom as Snow White's Prince Charming with the Disney's Parade Ice Show. Shortly after, he traveled to New York City in order to pursue his first love, dancing. However, an old football injury ended his ballet career, directing Swayze towards acting. Swayze starred in over 33 movies, 7 theatre productions, and had numerous television roles and appearances throughout his accomplished career.

Swayze leaves behind his wife of over thirty years, Lisa Niemi. Together they weathered a journey of both success and disappointment. Swayze and Niemi's love and commitment for one another was unwavering until the very end.

On behalf of the second congressional district of Texas, I rise to remember a true native Texan, Patrick Swayze for his outstanding achievements in the entertainment business and in the fight against cancer. His life is truly an example to all. He will be remembered as a role model and a shining example of hard work, determination, and the spirit of Texas.

HONORING MR. WILEY HILBURN

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. ALEXANDER. Madam Speaker, it is with great pride that I rise today to commend Mr. Wiley Hilburn, an esteemed editor, respected mentor and prolific columnist.

On September 1, the Louisiana Tech University news bureau chief, journalism teacher and department head, will retire after 41 years of dedication and service. Hilburn's legacy is not only embedded in his written work, but translated into the countless careers of past students.

The Tech Talk, Louisiana Tech's weekly newspaper, was not always the student voice of the university, but merely a mouthpiece for the administration. In 1968, Tech President F.J. Taylor, hired Hilburn to liberate the school's newspaper, a period consumed with controversy and fueled by opinion. Successfully safeguarding the student body's First Amendment right during the Vietnam War and Civil Rights movement renders recognition.

Hilburn will retire from one of Louisiana's most acclaimed journalism schools. During his 41-year-tenure, Hilburn served under Taylor and current Tech President Dan Reneau. Throughout the past 40 years, students have learned how to report responsibly and objectively.

Although he will no longer steer the student voice of Tech, his opinionated outlook of reason will continue in his columns, printed weekly in The Shreveport Times and The News-Star, of Monroe.

The Ouachita River touches most parishes in North Louisiana; Hilburn touches the hearts of all of his readers in North Louisiana every Sunday. During his four decades of teaching and mentoring students, Hilburn gave 'fragments' of his life to every journalism student who walked through Keeney Hall.

I ask my colleagues to join me in congratulating Mr. Wiley Hilburn, a teacher, writer and personal friend.

CONGRATULATING COCOA BEACH HIGH SCHOOL AND RALPH M. WILLIAMS ELEMENTARY SCHOOL FOR BEING DESIGNATED AS 2009 BLUE RIBBON SCHOOLS

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. POSEY. Madam Speaker, I am pleased to recognize and extend my congratulations to two schools in the 15th Congressional District of Florida that have been designated as 2009 Blue Ribbon Schools: Cocoa Beach High School and Ralph M. Williams Elementary School. I am honored to represent a district that is home to these schools that have achieved so much. These schools will serve as models for other schools throughout the country.

The Blue Ribbon Schools Program commends public and private elementary, middle, and high schools that are either academically superior by scoring in the top 10 percent on state assessment tests or that demonstrate extraordinary gains in student achievement, specifically in students from disadvantaged backgrounds.

Florida's success in the realm of education is nothing new. Florida's education system is frequently boasted as the best in the Nation. In a recent publication by the Heritage Foundation, Florida public education is described as ''remarkable.'' The paper goes on to say that, ''Over the past decade, National Assessment of Education Progress (NAEP) reading scores for Florida fourth graders have soared nine percentage points—more than twice the national gain. Florida's eighth-grade reading gains were also almost double the national average. Math scores also registered solid gains, exceeding the national average . . . Most impressive has been the success of minorities. Scores among Florida's low-income black and Hispanic students have risen much faster than the national average. Hispanic fourth-graders in the Sunshine State now boast reading scores higher than the all-student average in 15 states, including California.'' These achievements are truly remarkable.

I would also like to take a moment to thank the principals and teachers of these two fine schools. Your leadership and service have made these achievements possible. Most fundamentally, education is the province of parents, teachers, and local and state governments. This award demonstrates that the innovation and hard work of parents, teachers, local administrators, and the community as a whole can produce efficiency, accountability, and achievement in our Nation's schools. These two schools have served their students well and are effectively preparing them for the challenges awaiting them as adults through an effective education system.

Madam Speaker and my colleagues, I ask that you join me in honoring the students, teachers, and administrators at Cocoa Beach High School and Ralph M. Williams Elementary School for their extraordinary accomplishments. They have made Florida's 15th Congressional District proud.

TRIBUTE TO LIZ ANDERSON

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mrs. EMERSON. Madam Speaker, I rise today to pay my respects to a good friend of mine and a great servant of Missouri's Eighth Congressional District, Liz Anderson. Mrs. Anderson, born in Poplar Bluff, Missouri, passed away on September 9th, and she is being sorely missed by her family, friends, colleagues and the citizens of Southern Missouri.

For 30 years, Southern Missourians have been accustomed to getting the news of the day from Mrs. Anderson. First as a reporter, then as editor and co-owner of The Enterprise-Courier in Charleston, Missouri, and The East Prairie Eagle in East Prairie, Missouri, Mrs. Anderson brought her considerable skills to the newsroom. In our communities, she is remembered for being tough, fair, inquisitive, patriotic, and—above all—for taking the time to become at least twice as informed as she needed to be on any issue that earned a place in her newspaper.

Separate from her vocation in the newsroom, Mrs. Anderson put her considerable talents to work on issues she felt were important to Mississippi County, Missouri, as well as to the rest of the state and to the nation. On flood control, river transportation, and economic development issues, the positive effect of her efforts will endure along with our memory of her.

To Liz Anderson's family, I extend my heartfelt condolences. To the members of this U.S. House of Representatives, I commend her strong community spirit and her dedication to the principles of a free press. Mrs. Anderson put that free press to work in an exemplary way in Southern Missouri—and we should all take her tremendous contributions to heart as we honor her memory.

TRIBUTE TO JOHN MANGANARO

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SMITH of Nebraska. Madam Speaker, I rise today to congratulate Mr. John Manganaro upon his retirement after 17 years serving as head baseball coach at Wayne State College.

Manganaro came to Wayne State as an assistant in 1990 and took the helm in 1993, inheriting a sport with less than one scholarship and a $12,000 budget. He built Wayne State into one of the top programs in NCAA Division II, winning the last six Northern Sun Conference regular season titles while guiding the Wildcats to six straight NCAA tournament appearances.

Manganaro tallied a 506–309–1 record and was 198–54 in Northern Sun Conference games. Manganaro is a four-time Northern Sun Conference Coach of Year award recipient and led Wayne State to five Northern Sun Conference Tournament titles. Manganaro produced All Americans in six of the last seven seasons and had two players selected in the Major League Baseball Draft over the past three seasons.

In July of this year, the Omaha World Herald selected John Manganaro as the 2009 Midlands College Coach of the Year for men's sports. This was a fitting award for a coach that built a baseball program from scratch and turned it into the 12th winningest team this decade in NCAA Division II baseball.

Many of my constituents have been members of his teams through the years and they have all benefited from the experience. He is a credit to his sport, his college, and all of Nebraska.

I wish John Manganaro, his wife Janice, and their six children and two grandchildren all the best in their future endeavors.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Ms. WOOLSEY. Madam Speaker, on September 14, 2009, I was unavoidably detained and was unable to record my vote for rollcall Nos. 696–98. Had I been present I would have voted:

Rollcall No. 696: Yea—Recognizing the significant contribution coaches make in the life of children who participate in organized sports and supporting the goals and ideals of National Coaches Appreciation Week;

Rollcall No. 697: Yea—Expressing support for designation of ''National Safety Month;'' and

Rollcall No. 698: Yea—Supporting the goals and ideals of senior caregiving and affordability.

A PROCLAMATION HONORING STRASBURG HIGH SCHOOL

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SPACE. Madam Speaker:

Whereas, Strasburg High School has displayed incredible dedication to creating well-rounded students; and

Whereas, the Strasburg High School has been supportive of their athletes; and

Whereas, the Strasburg High School has broadened the abilities and skills of their athletes in the sport of softball; and

Whereas, the Strasburg High School has always promoted sportsmanship on and off of the field: Now, therefore, be it

Resolved, That along with their friends, family, and the residents of the 18th Congressional District, I congratulate the Strasburg High School on supporting their Girls' Division IV State Softball Championship. We recognize the tremendous amount of support they have given to their athletes.

HONORING DOLPH CHIANCHIANO

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. KIRK. Madam Speaker, I rise to honor Dolph Chianchiano, Senior Vice President for

Health Policy and Research, for his 30 years of service to the National Kidney Foundation.

As the co-chair of the Congressional Kidney Caucus, I have come to understand the need for kidney patients to have a strong advocate, and they certainly have one with Dolph.

Few people can say they have made a direct impact on the lives of millions of Americans as Dolph Chianchiano can. He has guided the NKF on almost every legislative and policy decision in the history of the Medicare ESRD program, which started 35 years ago.

He helped shape the National Organ Transplant Act in 1984, the Benefits Improvement and Protection Act in 2000, the Organ Donation and Recovery Improvement Act in 2004 and Medicare Improvements for Patients and Providers Act in 2008. These laws have helped raise the standards for dialysis facilities, establish, regulate and improve the organ donation process, and provide funding for education, early screening and life-saving treatments for kidney patients.

He has been diligent to make sure that the promise of legislation becomes a reality for patients, making sure that the laws are implemented well through rulemakings and that appropriations follow the authorizing legislation. His ability to work to build support in the kidney community and his institutional memory of regulations and legislation over three decades makes his work even more profound.

We know Dolph's work will continue and for that we are thankful. But today, I want to honor him for his passion, commitment and dedication to kidney and transplant patients for the past 30 years and wish him the best as we work together to improve the lives of people touched by kidney disease.

RESTORING RESPECT AND DIGNITY TO THE U.S. HOUSE OF REPRESENTATIVES

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Ms. MCCOLLUM. Mr. Speaker, last week, in this chamber, the House hosted the Members of the U.S. Senate and the President of the United States.

The President used that opportunity to address Congress and the American people about this country's health care crisis.

During the speech a member of this body shouted a personal insult—rude and disrespectful words—at the President of the United States that violated the rules of decorum of this House and disgraced this institution.

To insult the President of the United States—an invited guest in this House—in such a manner brings shame on this body and all its members.

Disrespect, incivility, and personal attacks have no place in the People's House if we are to get the people's business done.

As a matter of honor, respect, and common decency the representative of the people of South Carolina's 2nd District should stand in the well of the House and apologize to his colleagues for his words and his conduct.

Since the representative from South Carolina has refused to apologize I urge all Members, Democrats and Republicans, to vote in favor of H. Res. 744 and support restoring respect and dignity to the U.S. House of Representatives.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SMITH of Washington. Madam Speaker, unfortunately I missed recorded votes on the House floor on Monday, September 14, 2009.

Had I been present, I would have voted "yes" on rollcall vote No. 696 (On the motion to suspend the rules and agree to H. Res. 6); "yes" on rollcall vote No. 697 (On the motion to suspend the rules and agree to H. Res. 459); and "yes" on rollcall vote No. 698 (On the motion to suspend the rules and agree to H. Con. Res. 59, as Amended).

RECOMMENDING TEACHING CONSTITUTION TO HIGH SCHOOL STUDENTS

SPEECH OF

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 2009

Mr. BOOZMAN. Mr. Speaker, I rise before you today to express my support, not only for the principles of House Resolution 686, but for all of the historical foundations of our Nation and its laws. The Constitution is our Nation's most precious and important document. The Constitution spells out the vision that our founders had for this land and its people, while directing us on how to protect the many freedoms and gifts it provides us. A fundamental understanding of social studies, like many other subjects, is imperative for our children, and our Nation, to achieve their greatest potential. That understanding of social studies must include many things, but most importantly an understanding of our Constitution, our Founding Fathers, their vision and ideals for this Republic, and a sense of civic duty that embodies charity and the American spirit of independence. In order for our students to grasp these concepts and relate them to the rest of their educational experiences and daily lives, these concepts and themes must be revisited throughout the education of young Americans and not just for a week in September. As the Constitution is the foundation of our Republic and its laws and principles, in teaching our students about American government and American history the Constitution should provide a foundation and frame of reference throughout the educational process. I am greatly appreciative for all of our teachers and education professionals and thank them for the service they provide to our communities. I would encourage them to include our founding documents and the lessons provided by our Founding Fathers into their classrooms whenever possible.

A PROCLAMATION HONORING ROGER McCAULEY FOR 40 YEARS OF DEDICATED SERVICE TO OHIO AND THE APPALACHIAN REGION

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SPACE. Madam Speaker,

Whereas, Roger McCauley served as the Executive Director of the Corporation for Ohio Appalachian Development, because of his expertise about and dedication to Appalachian Ohio; and

Whereas, Roger McCauley has been a long-standing advocate of affordable housing for all through his service on the board of the Ohio Housing Finance Agency; and

Whereas, Roger McCauley has, throughout his career, been of invaluable service to community economic development and poverty advocacy groups; and

Whereas, Roger McCauley has been an upstanding and irreplaceable leader in his community, having served on the Governor's Early Childhood Advisory Council, as President of the Oakdale Water District, and as President of the Burr Oak Regional Water District;

Whereas, Roger McCauley has spent forty years of his distinguished life fighting in the War on Poverty: Now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I applaud Roger McCauley for her distinguished record of service to Ohio and the Appalachian Region. We are grateful for his dedication and service.

HONORING THE WORK OF ARA PARSEGHIAN

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. DONNELLY of Indiana. Madam Speaker, I rise today to honor Ara Parseghian for his years of dedication as a loving husband and father, legendary football coach and most notably, an advocate for scientific research to discover cures for two rare diseases which afflict hundreds of thousands of Americans—Multiple Sclerosis (MS) and Niemann-Pick Type C disease.

Ara Parseghian spent much of his career serving as a leader and role model to the many young men who came under his guidance during his tenure as the head football coach at Miami University, Northwestern and the University of Notre Dame. Mr. Parseghian's impressive record at Notre Dame included two consensus national championships and three bowl victories in the 1970 Cotton Bowl, the 1973 Sugar Bowl and the 1974 Orange Bowl. Mr. Parseghian was inducted into the College Football Hall of Fame in 1980 in recognition for these tremendous accomplishments.

Many Americans have heard stories about Ara Parseghian's legendary football career, but what many may not know is that some of his most important work began after his football career. For nearly fifteen years, Ara has been fighting Niemann-Pick Type C disease.

This tragic disease is a degenerative neurological disorder afflicting thousands of children and sadly is ultimately fatal. Niemann-Picks Type C is a rare disease, afflicting only one out of four children when both parents are carriers. The Parseghian family learned of this disease first hand, when despite the rarity of the disease, three of Ara's youngest grandchildren were diagnosed with Niemann-Picks Type C in 1994.

Unfortunately, the Parseghians' beautiful grandchildren are no longer with us. Michael passed away at the age of 9 in 1997, Christa when she was only 10 in 2001, and most recently Maria at age 16 in 2005. Surely no grandparent in this day and age should have to outlive three of their grandchildren. Yet, rather than succumb to grief and give up hope, Ara Parseghian and his family never let up in their fight to find a cure for this terrible disease. Together they founded the Ara Parseghian Medical Research Foundation in 1994 devoted to researching and finding a cure for Niemann-Picks Type C. In 1997, scientists funded by the Parseghian foundation were able to isolate the gene responsible for causing Niemann-Picks Type C, and have since made tremendous strides towards finding treatments which may one day prevent other families from suffering the same tragic loss as the Parseghians have.

Ara Parseghian's commitment to scientific discovery did not stop with the disease that took the lives of his grandchildren. Mr. Parseghian, whose sister, brother-in-law and daughter have been diagnosed with multiple sclerosis, is also active in fundraising for the National Multiple Sclerosis Society.

In honor of his many years of selfless devotion to the cause of medical research, Ara Parseghian will be honored at the Kate's Hope Michiana MS Luncheon on September 23, 2009, where he will receive the first Kate's Hope Award for ''hope-inspiring humanitarian service.'' While Ara Parseghian has received numerous awards and accolades for his achievements on the football field, it is honors such as this—for his selfless devotion to others—which will truly define the ''Era of Ara.'' And so once again, I wish to express my sincere admiration and respect for Ara Parseghian, and honor all he has done for children and families struggling with neurological disorders.

HONORING STEPHEN C. WHITE OF THE MYSTIC SEAPORT MUSEUM

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. COURTNEY. Madam Speaker, I rise today to welcome Stephen C. White, as the new president and chief executive officer of Mystic Seaport Museum, in my Congressional district.

The Board of Trustees of the Museum conducted a national search of many qualified candidates and found an individual capable of building on the Museum's many accomplishments during its 80-year history. Mystic Seaport Museum, the Museum of America and the Sea, hosts nearly 300,000 visitors each year, including 30,000 children attending with school or youth groups.

Prior to joining the Museum, Steve served 18 years as headmaster of Fay School, the country's oldest junior boarding school. During Steve's tenure, Fay School established a dynamic strategic plan and a comprehensive master plan for future campus development. Under Steve's leadership, Fay dramatically increased its endowment and, most recently, completed a $20 million campaign designed to support key elements of the strategic plan, including compensation, scholarships, program development and campus expansion.

A native of Camden, ME, Steve has long enjoyed a connection to the sea, sailing wooden boats with his grandfather and father. He found his call to education through the sea as well, having spent summers as a director of junior sailing programs at Camden Yacht Club and Ft. Worth Boat Club. He's also made two trans-Atlantic crossings on a sloop from Connecticut. Steve is excited to get back to his maritime roots as he takes on the position of moving Mystic Seaport forward.

Steve has a B.A. in English and Education from Hartwick College. Additionally, he has completed coursework at Columbia University/Teachers College through a Klingenstein Fellowship. He currently resides on Cape Cod with his wife, Maggie, and is planning to relocate to Mystic soon.

As Mystic Seaport celebrates its 80th year, the team there continues to strive toward achieving the vision the founders laid out in 1929—that the Museum be educational in purpose, national in scope and an inspiring force for the future.

Based on my work with Steve White during his first few months in office, I am confident that he has been an excellent selection to continue working toward this vision, and I look forward to working closely with him as he does so.

CALL TO SERVICE HOMEBUYER CREDIT ACT OF 2009

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. BLUMENAUER. Madam Speaker, in June of this year, a constituent contacted me regarding an issue of great concern to his family. He and his wife had purchased a home in my district with the First Time Homebuyer Credit. Yet, because of a temporary government assignment overseas, they were being forced to repay the credit. This constituent eloquently expressed his frustration and asked my office to help him, and the thousands of Foreign Service families like his.

I'm proud to say that today we are doing just that by introducing the ''Call to Service Homebuyer Credit Act of 2009.''

This bill would allow members of the armed services, Foreign Service, and intelligence community to take full advantage of the 2009 First Time Homebuyer Tax Credit.

Currently, the credit provides up to $8,000 towards the purchase of a home, from December 31, 2008 through November 30, 2009, provided that the home is a primary residence for 36 months afterward. The program has been so successful that the National Association of Realtors estimates 1.8 million families will file for the credit, and that 350,000 wouldn't have been able to purchase a home without it.

But for all its popularity, the credit is inaccessible to many Americans—like my constituent—serving our country in the military, Foreign Service, or intelligence community. These occupations often require time served abroad, or otherwise away from home, rendering a 36-month commitment to a primary residence a difficult proposition. Even now, hundreds of thousands of men and women are overseas serving our country on bases, embassies, or other posts, away from friends and family, and often in hazardous locations. Those serving the public should not have to choose between their job and their home.

This bill protects those called to service, now or in the future, by counting duty away from home as time spent fulfilling the primary occupancy requirement. It also gives a second chance to those who served away from home in 2009 by extending the credit for one year. This bill will give these men and women the same opportunity as other Americans to own a home.

I appreciate the engagement of the Ways and Means Committee on this issue, and I look forward to working with my colleagues to quickly enact these thoughtful provisions.

CELEBRATING THE 50TH ANNIVERSARY OF BANK OF O'FALLON IN O'FALLON, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in recognizing the 50th Anniversary of the Bank of O'Fallon, in O'Fallon, Illinois.

The Bank of O'Fallon was chartered in 1959 and opened its doors in a facility on the northwest corner of the new Southview Plaza. The original board of directors included; Matthias K. Schwarz, Russell V. Thoman, Sr., Dr. B.F. Tate, Arthur Huller, W. Wayne McKinley, Ray Richardson, and Jack Schwarz. The management team consisted of President, Matthias K. Schwarz, Vice-President, Russell V. Thomas, Sr., and acting cashier, Dr. B.F. Tate.

Responding to the needs of its customers, the Bank of O'Fallon opened an 8 lane drive through facility in 1973, across the ''Shiloh Road,'' at 913 South Lincoln. Expansion continued in 1989 with the opening of a new, larger bank building next to the drive through. The Community Financial Center was built on the site of the original bank building in 2000. This center holds a conference room, dedicated to one of the founders, Russell V. Thomas, Sr. and his wife, Eleanor, where community groups can meet free of charge.

The Bank of O'Fallon has grown through the years and has earned a reputation as a sound, successful community bank. It is owned by Security First Bancshares, Inc., a locally owned holding company. With current assets of approximately $255 million, the bank has been recognized by several independent bank research firms with their highest ratings.

The current president, Richard J. Thoman, stresses the joint contributions of the directors, officers and employees in the continuing success of the bank. O'Fallon and the surrounding area have been tremendous growth

since 1959 and the Bank of O'Fallon has grown with it by maintaining close ties within the communities it serves.

Madam Speaker, I ask my colleagues to join me in congratulating the board of directors, officers and employees of the Bank of O'Fallon on their 50th Anniversary and wishing them the very best for many more years to come.

HONORING ANN ARBOR HOST LIONS CLUB'S EIGHTIETH YEAR OF SERVICE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. DINGELL. Madam Speaker, I rise today to honor the Ann Arbor Host Lions Club as they celebrate their eightieth year of service to the people of Ann Arbor and the state of Michigan.

The Lions Club has spent decades faithfully serving the City of Ann Arbor and have aided the area in times of prosperity and hardship. Since 1929, the Lions Club has maintained its presence in the community through a variety of events, including but not limited to White Crane drives, active participation in Habitat for Humanity and strong support for countless local and state-wide programs.

As members of the world's largest community service organization, the men and women of the Ann Arbor Host Lions Club should be commended for their dedication to the residents of the greater Ann Arbor area. The Lions Club's desire to give back to the community was directly responsible for the creation of the Michigan Eye-Bank, a state-wide charitable organization that has offered sight restoration to thousands of people.

The citizens of Ann Arbor can take immense pride in being members of a community that has engaged and been served by the wonderful group of dedicated and compassionate volunteers that constitute the Ann Arbor Host Lions Club. Their generosity and charitable activities have been visible in the community for several generations and it is my hope and wish that their outstanding work receives praise and recognition.

Madam Speaker, I ask that my colleagues rise and join me in commending the Ann Arbor Host Lions Club on eighty years of charitable support and service to the community.

HONORING DR. NORMAN E. BORLAUG

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. BRADY of Texas. Madam Speaker, I rise today to honor Dr. Norman E. Borlaug, a brilliant scientist and humanitarian, who died on September 12, 2009, at the age of 95 from complications with cancer in Dallas, Texas.

Dr. Borlaug was awarded the Nobel Peace Prize, the Presidential Medal of Freedom, and the Congressional Gold Medal during his lifetime. Dr. Borlaug used the respect he received from his accolades to advocate the importance that sound agriculture policy would have on allowing peace to exist among communities hard hit by famine.

Dr. Borlaug won his Nobel Peace Prize in 1970 for developing a strong strain of wheat that could produce large yields in regions of the world, otherwise susceptible to famine. Many of these regions were in developing countries with a history of increased amounts of conflict due to the hunger of its communities. Dr. Borlaug believed through studying agriculture trends, food challenges could be met resulting in establishing peace and prosperity.

Dr. Borlaug received his Presidential Medal of Freedom in 1977 and his Congressional Gold Medal in 2007.

Dr. Norman Borlaug was Distinguished Professor of International Agriculture in Texas A&M University's Department of Soil and Crop Sciences. Joining the Texas A&M family in 1984, Borlaug worked extensively, even up to his death, studying the food trends of the world. At Texas A&M in 2006, the Norman Borlaug Institute for International Agriculture was named in his honor. This institution aims to carry on the rich legacy of the great works and service of Dr. Borlaug and ensure future stewards of that legacy will carry out the good work stressed by this great man.

Dr. Borlaug knew the importance of challenging the youth in his field to carry the torch for the next generation of scientists, working to solve the food challenges that the future may hold. Generations to come will be indebted to his life's work.

Madam Speaker, I am proud to call Dr. Borlaug a friend, and I remain in awe of his intellect and body of work. Thank you for the opportunity to call on all Americans to recall his spirit and his service.

INTRODUCTION OF SATELLITE HOME VIEWER UPDATE AND REAUTHORIZATION ACT (''SHVURA'')

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. CONYERS. Madam Speaker, today I am introducing the ''Satellite Home Viewer Update and Reauthorization Act,'' legislation that modernizes, simplifies and improves the compulsory copyright licenses governing the retransmission of distant television signals by cable and satellite television operators. I am joined by Representative BOUCHER, Representative WASSERMAN SCHULTZ and Representative JOHNSON.

Both the cable and satellite industries rely on these licenses to provide television programming to their customers. The satellite Section 119 license will expire on December 31, unless we act. This legislation renews the satellite license for five years.

These compulsory copyright licenses were designed to facilitate investment in new creative works by the satellite and cable industries by eliminating direct negotiation with the copyright owners for the use of distant signal programming. These companies pay copyright royalty fees to a pool, at a rate set by statute, and are then distributed to the copyright owners by the United States Copyright Office.

In the five years since we last addressed these issues, the cable and satellite industries have changed dramatically. The country underwent a transition from analog to digital television, the cable industry has grown and consolidated, and the satellite industry has expended its reach, signing up more subscribers and providing more markets with local-into-local service.

This legistion reflects the recent transition to digital television by clarifying that the compulsory licenses apply to digital streams instead of just analog streams, and by providing for an updated technological model to predict the eligibility of satellite subscribers for distant signals under the Section 119 license. It also takes into account the advent of multicasting, which is a direct result of the new capacity created by the transition to digital signals and was not contemplated by the previous licensing schemes.

One important purpose of the Section 119 license is to ensure that consumers who live in markets that may be missing certain network affiliates can receive the full complement of network programming. The new language clarifies the ways in which the license can be used by satellite companies to accomplish this.

Changes in the cable television marketplace have resulted in confusion over the proper way to calculate royalties under the Section 111 cable compulsory license. This so-called ''phantom signal'' uncertainty has chilled both the cable and content industries, creating legal ambiguity that deters investment and growth, and threatens to raise cable price and disrupt cable service. This legislation alters the way the royalty rates are calculated to restore certainty to the marketplace and make the compensation for copyrighted content more fair.

This legislation also gives television and cable providers the flexibility they need to assist the United States Government in times of national emergency. Previously, during national emergencies, the compulsory licenses precluded cable and satellite companies from broadcasting certain distant signals to government organizations. Now the licensees can provide the government with the information it needs to monitor and respond to a natural disaster or man-made catastrophe.

This legislation also attempts to help rural markets that are currently not receiving ''local-into-local'' service. To incentivize satellite companies to serve these disadvantaged markets, the legislation restores the section 119 license to DISH network, which lost its license three years ago for noncompliance, on the condition that DISH enter all television markets in the United States. It is anticipated that this change will spur price and market competition between the major satellite providers to broaden and improve service to consumers.

The legislation streamlilnes and updates the compulsory license system in several other ways. It substantially heightens the penalties for copyright infringement. It provides a verification right for copyright owners to ensure that they are being properly compensated for the use of their intellectual property. It corrects and updates provisions related to rate-setting proceedings before the Copyright Royalty Judges. It adds a royalty filing fee to defray the administrative costs of disbursing the copyright payments to the pool. And it moves provisions for low power television and ''significantly viewed'' stations from Section 119 to Section 122 to reflect the ''local'' nature of those signals.

The current compulsory licenses were not designed for this new digital era. This legislation is necessary to avoid immediate disruption in service to satellite consumers, long-term deterioration of service to cable consumers, and to enhance and protect the rights of content-creators.

A PROCLAMATION HONORING INDIAN VALLEY HIGH SCHOOL

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SPACE. Madam Speaker,

Whereas, Indian Valley High School has displayed incredible dedication to creating well-rounded students; and

Whereas, the Indian Valley High School has been supportive of their athletes; and

Whereas, the Indian Valley High School has broadened the abilities and skills of their athletes in the sport of baseball; and

Whereas, the Indian Valley High School has always promoted sportsmanship on and off of the field: Now, therefore, be it

Resolved, That along with their friends, family, and the residents of the 18th Congressional District, I congratulate the Indian Valley High School on supporting their Boys' Division III State Baseball Championship. We recognize the tremendous amount of support they have given to their athletes.

REMEMBERING SEN. RON RAIKES

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. SMITH of Nebraska. Madam Speaker, I rise today to remember a friend and a colleague, Nebraska State Senator Ron Raikes. Ron was a dedicated public servant, who will be remembered as an honorable, hardworking senator who took pride in representing his constituency and all of Nebraska.

Raikes was born and raised in Nebraska. He attended Iowa State University and worked there as a professor after receiving a doctorate in agricultural economics from the University of California-Davis.

Raikes was appointed to the Nebraska Legislature in 1997, elected in 1998 and reelected in 2000 and 2004. I will always remember him as a well-liked and deeply respected colleague.

He was a mentor to the younger generation and an avid farmer. He ran a large cattle operation, a soil conservation business, and grew corn, soybeans and wheat. More than that, he was a tireless advocate for what he believed in and always challenged his colleagues.

He will be missed.

My heart goes out to his wife, his children and his grandchildren.

RECOGNIZING HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to acknowledge the importance of Historically Black Colleges and Universities in the United States. President Barack Obama has issued a proclamation recognizing August 30—September 5, 2009 as National HBCU Week, and I am very proud to honor these institutions today.

Historically Black Colleges and Universities are defined as accredited colleges and universities founded prior to 1964 with the intent of serving the African-American community. These institutions have existed for more than 140 years, and there are more than 100 across the United States. Of the nine HBCUs in my home state of Texas, three are public institutions and six are private.

HBCUs have had a very long history and date back to the period directly following the Civil War. Originally HBCUs were the only institutions of higher education that accepted African-Americans. After the Civil Rights Movement prompted an end to white-only admissions policies, HBCUs continued to act as an important educational resource for African-Americans and other students who chose not to attend predominately white institutions.

There are a number of notable figures who have graduated from HBCUs, and I would like to pay tribute to some of them today. Alice Walker of Spelman University and Langston Hughes of Lincoln University are American literary giants who attended HBCUs. Former U.S. Supreme Court Justice Thurgood Marshall went to Howard University and former Congresswoman Barbara Jordan attended Texas Southern University. Additionally, Rev. Martin Luther King, Jr. was a graduate of Morehouse University. Truly, our country would be at a great loss without these heroes.

I commend the educators, students, alumni and staff that have worked tirelessly to make Historically Black Colleges and Universities what they are today. I ask my fellow colleagues to join me in recognizing the role these institutions have played in educating generations of Americans of all races and ethnic backgrounds.

RECOGNIZING 15TH ANNIVERSARY OF THE VIOLENCE AGAINST WOMEN ACT

SPEECH OF

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 2009

Ms. TSONGAS. Mr. Speaker, I rise today to commemorate the 15th anniversary of the Violence Against Women Act. This law, which was originally signed in 1994, is one of the most significant achievements in our history for advancing the equality and empowerment of women.

Nearly a quarter of women in the United States are victims of domestic violence every year. 1 in 6 women will be a victim of sexual assault in her lifetime. And that number is 4 times higher for women in college.

Domestic violence not only harms the victim, it has a cumulative effect on communities. Children who grow up in households where domestic violence occurs are 60–75 percent more likely to experience child abuse. These children tend to suffer from a variety of psychological problems during their lifetime.

Given these staggering facts, it is our responsibility to make sure that women and children have peace of mind that there is someone on their side if they are faced with such harm. The Violence Against Women Act has given communities the kinds of resources they need to bring this peace of mind closer to a reality.

This Act not only increased the criminal penalty for acts of domestic violence, but strengthened the ability of our communities to respond and even prevent these incidents in the first place. VAWA funds legal assistance for victims of domestic violence, strengthens domestic violence shelters, and helps to enforce restraining orders.

The law also established an national hotline called by over 1.5 million abused women seeking help. As a result, domestic violence is down 50 percent and rape is down 60 percent nationwide.

But we still have a long way to go. 60 percent of sexual assaults are still not reported to the police. Although this number has declined significantly since 1993, we must continue these efforts to end the threat of violence against women and children.

In our society, no woman should ever feel so scared for their lives and their safety that they are unable to fulfill their potential. We must create a culture in which women and girls can thrive, and this Act has taken us one step closer to that goal.

I want to thank the Congresswoman from New York for this important resolution.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S9335–S9390

Measures Introduced: Six bills and four resolutions were introduced, as follows: S. 1669–1674, S. Res. 266–268, and S. Con. Res. 39. **Pages S9371–72**

Measures Passed:

National Ovarian Cancer Awareness Month: Senate agreed to S. Res. 267, supporting the goals and ideals of National Ovarian Cancer Awareness Month. **Page S9389**

Hispanic Heritage Month: Senate agreed to S. Res. 268, recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and their immense contributions to the Nation. **Pages S9389–90**

Measures Considered:

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act—Agreement: Senate continued consideration of H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, taking action on the following amendments proposed thereto: **Pages S9341–65**

Rejected:

McCain Amendment No. 2375, to provide that all amounts in the bill provided for congressional earmarks shall be made available for NextGen and NextGen programs. (By 68 yeas to 26 nays (Vote No. 276), Senate tabled the amendment.) **Pages S9341–45, S9348–49**

Pending:

Coburn/McCain Amendment No. 2371, to remove an unnecessary and burdensome mandate on the States, by allowing them to opt out of a provision that requires States to spend 10 percent of their surface transportation funds on enhancement projects such as road-kill reduction and highway beautification. **Pages S9345, S9347–48, S9349**

Coburn/McCain Amendment No. 2370, to fully provide for the critical surface transportation needs of the United States by prohibiting funds from being used on lower-priority projects, such as roadkill reduction programs, transportation museums, scenic beautification projects, or bicycle paths, if the Highway Trust Fund does not contain amounts sufficient to cover unfunded highway authorizations. **Pages S9345, S9349**

Coburn/McCain Amendment No. 2372, to fully provide for the critical surface transportation needs of the United States by prohibiting funds from being used on lower-priority projects, such as transportation museums. **Pages S9345, S0349**

Coburn Amendment No. 2374, to determine the total cost to taxpayers of Government ownership of residential homes. **Page S9345**

Coburn Amendment No. 2377, to require public disclosure of certain reports. **Pages S9345–47**

Wicker Modified Amendment No. 2366, to permit Amtrak passengers to safely transport firearms and ammunition in their checked baggage. **Pages S9349–50, S9355–65**

Vitter Amendment No. 2376, to affirm the continuing existence of the community service requirements under section 12(c) of the United States Housing Act of 1937. **Pages S9350–55**

A motion was entered to close further debate on the committee reported amendment in the nature of a substitute to the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, September 17, 2009. **Page S9365**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, September 17, 2009. **Page S9365**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Wednesday, September 16, 2009, and that Senator Coburn be recognized for up to 30 minutes, and Senator Murray for up to 10 minutes; provided that upon the use or yielding back of the above specified time, Senate vote on or in relation to the amendments in the order listed below, with no second-degree amendment in order to any of those listed prior to a vote on or in relation thereto; provided that prior to each vote, there be 2

minutes of debate, equally divided and controlled in the usual form; that after the first vote in any sequence, the succeeding votes be limited to 10 minutes each: Coburn Amendment No. 2374 (listed above), Coburn Amendment No. 2377 (listed above), Coburn/McCain Amendment No. 2371 (listed above), Coburn/McCain Amendment No. 2370 (listed above), Coburn/McCain Amendment No. 2372 (listed above), Wicker Modified Amendment No. 2366 (listed above), and Vitter Amendment No. 2376 (listed above). **Page S9365**

Nominations Confirmed: Senate confirmed the following nominations:

Dennis K. Burke, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

Steven M. Dettelbach, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

Carter M. Stewart, of Ohio, to be United States Attorney for the Southern District of Ohio for the term of four years.

Daniel G. Bogden, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Peter F. Neronha, of Rhode Island, to be United States Attorney for the District of Rhode Island for the term of four years.

Neil H. MacBride, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years. **Page S9390**

Nominations Received: Senate received the following nominations:

Cynthia L. Quarterman, of Georgia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation.

Frederick D. Barton, of Maine, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

Carmen Lomellin, of Virginia, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador.

Cynthia Stroum, of Washington, to be Ambassador to Luxembourg.

Chai Rachel Feldblum, of Maryland, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2013.

Irvin M. Mayfield, Jr., of Louisiana, to be a Member of the National Council on the Arts for a term expiring September 3, 2014. **Page S9390**

Messages from the House: **Page S9369**

Measures Referred: **Page S9369**

Executive Communications: **Pages S9369–71**

Additional Cosponsors: **Pages S9372–73**

Statements on Introduced Bills/Resolutions: **Pages S9373–81**

Additional Statements: **Pages S9368–69**

Amendments Submitted: **Pages S9381–88**

Notices of Hearings/Meetings: **Page S9388**

Authorities for Committees to Meet: **Pages S9388–89**

Record Votes: One record vote was taken today. (Total—276) **Page S9349**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:16 p.m., until 9:30 a.m. on Wednesday, September 16, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9390.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Michael G. Mullen, for reappointment as the Chairman of the Joint Chiefs of Staff and reappointment to the grade of admiral, after the nominee testified and answered questions in his own behalf.

AIR OPERATIONS IN CONGESTED AIRSPACE

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security concluded a hearing to examine aviation safety, focusing on the Hudson River midair collision and the safety of air operations in congested airspace, after receiving testimony from Christopher A. Hart, Vice Chairman, National Transportation Safety Board; Richar L. Day, Senior Vice President for Operations, Air Traffic Organization, Federal Aviation Administration, Department of Transportation; James K. Coyne, National Air Transportation Association, Alexandria, Virginia; and Edward Kragh, National Air Traffic Controllers Association, New Hope, Pennsylvania.

PRICE VOLATILITY IN THE ENERGY SECTOR

Committee on Energy and Natural Resources: Committee concluded a hearing to examine potential costs and price volatility in the energy sector, focusing on the greenhouse gas trading program, after receiving testimony from Brent Yacobucci, Specialist in Energy and Environmental Policy, Congressional Research

Service, Library of Congress; Eileen Claussen, Pew Center on Global Climate Change, Arlington, Virginia; Jason Grumet, Bipartisan Policy Center, Washington, D.C.; Joseph R. Mason, Louisiana State University, Baton Rouge; and Michael Wara, Stanford Law School, Palo Alto, California.

UNEMPLOYMENT INSURANCE BENEFITS

Committee on Finance: Committee concluded a hearing to examine unemployment insurance benefits, after receiving testimony from Beth Shulman, National Employment Law Project, Douglas J. Holmes, UWC–Strategic Services on Unemployment & Workers' Compensation, Karen Campbell, The Heritage Foundation, and Gary Burtless, The Brookings Institution, all of Washington, D.C.; and Thomas S. Whitaker, North Carolina Employment Security Commission, Raleigh, on behalf of the National Association of State Workforce Agencies.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Alan D. Solomont, of Massachusetts, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra, Lee Andrew Feinstein, of Virginia, to be Ambassador to the Republic of Poland, Barry B. White, of Massachusetts, to be Ambassador to Norway, and Jose W. Fernandez, of New York, to be Assistant Secretary for Economic, Energy, and Business Affairs, all of the Department of State, after the nominees, who were all introduced by Senator Kerry, testified and answered questions in their own behalf.

SECURITY CLEARANCE REFORM

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine security clearance reform, focusing on modernization, progress in reducing delays at the Department of Defense, improving executive reports to Congress and, the extent to which joint reform efforts reflect key factors in reform, after receiving testimony from Jeffrey D. Zients, Deputy Director for Management, Office of Management and Budget; John Berry, Director, United States Office of Personnel Management; James R. Clapper, Under Secretary of Defense for Intelligence; David R. Shedd, Deputy Director of National Intelligence for Policy, Plans and Requirements, Office of the Director of National Intelligence; and Brenda S. Farrell, Director, Defense Capabilities and Management, Government Accountability Office.

MENTAL ILLNESS IN U.S. PRISONS AND JAILS

Committee on the Judiciary: Subcommittee on Human Rights and the Law concluded a hearing to examine human rights, focusing on mental illness in United States prisons and jails, after receiving testimony from Harley G. Lappin, Director, Federal Bureau of Prisons, Samuel Bagenstos, Deputy Assistant Attorney General, Civil Rights Division, and Mary Lou Leary, Deputy Assistant Attorney General, Office of Justice Programs, all of the Department of Justice; Gary D. Maynard, Secretary, Maryland Department of Public Safety and Correctional Services, Towson; Michael P. Randle, Director, Illinois Department of Corrections, Springfield; Kathryn E. Zenoff, Presiding Justice, Second Appellate Court of Illinois, Rockford; and David L. Fuller, Manhattan Outreach Consortium, Brooklyn, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 3563–3578; and 3 resolutions, H. Con. Res. 185; and H. Res. 744, 747 were introduced. **Pages H9548–49**

Additional Cosponsors: LPage H9550

Reports Filed: Reports were filed today as follows:

H. Res. 745, providing for consideration of the bill (H.R. 3246) to provide for a program of research, development, demonstration and commercial application in vehicle technologies at the Department of Energy (H. Rept. 111–255) and H. Res. 746, providing for consideration of the bill (H.R. 3221) to amend the Higher Education Act of 1965 (H. Rept. 111–256). **Page H9548**

Speaker: Read a letter from the Speaker wherein she appointed Representative Speier to act as Speaker Pro Tempore for today. **Page H9493**

Recess: The House recessed at 10:59 a.m. and reconvened at noon. **Page H9496**

Suspensions: The House agreed to suspend the rules and pass the following measures:

United States Postal Service Financial Relief Act of 2009: H.R. 22, amended, 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, by a ⅔ yea-and-nay vote of 388 yeas to 32 nays, Roll No. 701; **Pages H9502–06, H9535–36**

Agreed to amend the title so as to read: "To amend title 5, United States Code, to reduce the amount that the United States Postal Service is required to pay into the Postal Service Retiree Health Benefits Fund by the end of fiscal year 2009.". **Page H9536**

Amending title 39, United States Code, to provide clarification relating to the authority of the United States Postal Service to accept donations as an additional source of funding for commemorative plaques: H.R. 3137, to amend title 39, United States Code, to provide clarification relating to the authority of the United States Postal Service to accept donations as an additional source of funding for commemorative plaques, by a ⅔ yea-and-nay vote of 414 yeas with none voting "nay," Roll No. 702; **Pages H9506–07, H9536**

Iraq and Afghanistan Veterans Memorial Post Office Designation Act: H.R. 3386, to designate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the "Iraq and Afghanistan Veterans Memorial Post Office"; **Pages H9507–08**

Supporting the goals and ideals of American Legion Day: H. Res. 679, to support the goals and ideals of American Legion Day; **Pages H9508–09**

Recognizing the region from Manhattan, Kansas, to Columbia, Missouri, as the Kansas City Animal Health Corridor: H. Res. 317, to recognize the region from Manhattan, Kansas, to Columbia, Missouri, as the Kansas City Animal Health Corridor, by a ⅔ yea-and-nay vote of 312 yeas to 108 nays with 1 voting "present," Roll No. 700; **Pages H9509–13, H9534–35**

Recognizing the importance of the Department of Agriculture Forest Service Experimental Forests and Ranges: H. Con. Res. 95, to recognize the importance of the Department of Agriculture Forest Service Experimental Forests and Ranges; **Pages H9513–14**

Authorizing the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois: H.R. 511, to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village; **Page H9514**

Directing the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida: H.R. 3175, to direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida; **Pages H9514–16**

Providing for the conveyance of National Forest System land in the State of Louisiana: H.R. 940, to provide for the conveyance of National Forest System land in the State of Louisiana; **Pages H9516–17**

Recognizing the importance and sustainability of the United States hardwoods industry: H. Res. 81, to recognize the importance and sustainability of the United States hardwoods industry and to urge that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program directed at constructing environmentally preferable commercial, public, or private buildings; **Pages H9517–18**

Pisgah National Forest Boundary Adjustment Act of 2009: H.R. 1002, to adjust the boundaries of Pisgah National Forest in McDowell County, North Carolina; **Pages H9519–20**

21 Century FHA Housing Act of 2009: H.R. 3146, amended, to make improvements to the FHA mortgage insurance programs of the Department of Housing and Urban Development; **Pages H9520–22**

FHA Multifamily Loan Limit Adjustment Act of 2009: H.R. 3527, amended, to increase the maximum mortgage amount limitations under the FHA mortgage insurance programs for multifamily housing projects with elevators and for extremely high-cost areas; **Pages H9522–24**

Securities Law Technical Corrections Act of 2009: H.R. 2947, to amend the Federal securities laws to make technical corrections and to make conforming amendments related to the repeal of the Public Utility Holding Company Act of 1935; **Pages H9524–26**

Congratulating the Minority Business Development Agency on its 40th anniversary: H. Res. 215, to congratulate the Minority Business Development Agency on its 40th anniversary and to commend its achievements in fostering the establishment and growth of minority businesses in the United States; and **Pages H9526–27**

SIG TARP Small Business Awareness Act of 2009: H.R. 3179, amended, to amend the Emergency Economic Stabilization Act of 2008 to require the Special Inspector General for the Troubled Asset

Relief Program to include the effect of the Troubled Asset Relief Program on small businesses in the oversight, audits, and reports provided by the Special Inspector General. **Pages H9527–29**

Recess: The House recessed at 3:41 p.m. and reconvened at 4:17 p.m. **Page H9529**

Privileged Resolution: The House agreed to H. Res. 744, raising a question of the privileges of the House, by a yea-and-nay vote of 240 yeas to 179 nays with 5 voting ''present,'' Roll No. 699. **Pages H9529–34**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H9534, H9535, H9535–36, H9536. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 7:26 p.m.

Committee Meetings

PANDEMIC FLU PREPAREDNESS

Committee on Energy and Commerce: Held a hearing to review the nation's readiness for the probable surge of cases of seasonal and pandemic H1N1 influenza. Testimony was heard from Kathleen Sebelius, Secretary of Health and Human Services.

MANDATORY BINDING ARBITRATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on Mandatory Binding Arbitration: Is It Fair and Voluntary? Testimony was heard from Representatives Linda T. Sánchez of California and Johnson of Georgia; and public witnesses.

DEPARTMENT OF HOMELAND SECURITY—MANAGEMENT/ACQUISITION CHALLENGES

Committee on Oversight and Government Reform: Subcommittee on Government Management, Organization and Procurement held a hearing entitled ''Investment Management and Acquisition Challenges at the Department of Homeland Security.'' Testimony was heard from the following officials of the Department of Homeland Security: Elaine C. Duke, Deputy Under Secretary, Management; and James L. Taylor, Deputy Inspector General; and Randolph C. Hite, Director, Information Technology Architecture and Systems Issues, GAO.

ADVANCED VEHICLE TECHNOLOGY ACT OF 2009

Committee on Rules: Granted, by a non-record vote, a structured rule. The rule provides one hour of general debate on H.R. 3246, the Advanced Vehicle Technology Act of 2009, equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science and Technology shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except those arising clause 10 of rule XXI.

The rule further makes in order only those amendments printed in the Rules Committee report. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments except those arising under clause 9 or 10 of rule XXI are waived.

The rule provides one motion to recommit with or without instructions. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the Chair of the Committee on Science and Technology or a designee. The rule provides that the Chair may not entertain a motion to strike out the enacting words of the bill. Testimony was heard by Representatives Peters, Polis, Inglis, and Posey.

NASA'S HUMAN SPACE FLIGHT PROGRAM

Committee on Science and Technology: Held a hearing on Options and Issues for NASA's Human Space Flight Program Report of the ''Review of U.S. Human Space Flight Plans'' Committee. Testimony was heard from VADM Joe Dyer, USN (Ret,) Chair, Aerospace Safety Advisory Panel, NASA; Norman Augustine, Chair, Review of U.S. Human Space Flight Plans Committee; and a public witness.

INCREASING ADOPTIONS ACT OF 2009

Committee on Ways and Means: Subcommittee on Income Security and Family Support held a hearing to review implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110–351). Testimony was heard from Brenda Donald, Office of the Secretary, Department of Human Resources, State of Maryland; Erwin McEwen, Director, Department of Children and Family Services, State of Illinois; and public witnesses.

BRIEFING—FBI COUNTERTERRORISM ISSUES

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on FBI Counterterrorism Issues. The Committee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 16, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Financial Services and General Government, to hold hearings to examine the use, impact, and accomplishments of Federal appropriations provided to improve the education of children in the District of Columbia, 10 a.m., SD–192.

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space, to hold hearings to examine options from the review of the United States Human Space Flight Plans Committee, 2:30 p.m., SR–253.

Committee on Foreign Relations: to hold hearings to examine exploring three strategies for Afghanistan, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Daniel I. Werfel, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget, 10 a.m., SD–342.

Full Committee, to hold hearings to examine the nomination of Richard Serino, of Massachusetts, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, 2 p.m., SD–342.

Committee on the Judiciary: to hold an oversight hearing to examine the Federal Bureau of Investigation (FBI), 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: business meeting to consider the nominations of Winslow Lorenzo Sargeant, of Wisconsin, to be Chief Counsel for Advocacy, and Peggy E. Gustafson, of Illinois, to be Inspector General, both of the Small Business Administration, Time to be announced, Room to be announced.

House

Committee on Financial Services, hearing entitled ''Proposals to Enhance the Community Reinvestment Act,'' 10 a.m., 2128 Rayburn.

Committee on the Judiciary, to mark up the following: the Satellite Viewer Update and Reauthorization Act; H.R. 233, Railroad Antitrust Enforcement Act of 2009; H.R. 1478, Carmelo Rodriguez Military Medical Accountability Act of 2009; H.J. Res. 26, Proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously; H.R. 3290, September 11 Family Humanitarian Relief and Patriotism Act of 2009; H.R. 42, Commission on Wartime Relocation and Internment of Latin Americans of Japanese Descent Act; and H.R. 1425, Wartime Treatment Study Act, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, hearing on H.R. 3534, Consolidated Land, Energy, and Aquatic Resources Act of 2009, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Domestic Policy, hearings entitled ''Between You and Your Doctor: The Bureaucracy of Private Health Insurance,'' 10 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled ''A Call to Arms: A Review of Benefits for Deployed Federal Employees,'' 2 p.m., 2154 Rayburn.

Committee on Small Business, hearing entitled ''The Economic Impact of Auto Dealer Closings on Rural Communities,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on the Hudson River Airspace and Management of Uncontrolled Airspace Corridors, 10 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Hot Spots, 4 p.m., 304 HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, September 16

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will continue consideration of H.R. 3288, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, and vote on certain pending amendments.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, September 16

House Chamber

Program for Wednesday: Consideration of H.R. 3246—Advanced Vehicle Technology Act of 2009 (Subject to a Rule). Begin consideration of H.R. 3221—Student Aid and Fiscal Responsibility Act of 2009 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Alexander, Rodney, La., E2270, E2271, E2272
Andrews, Robert E., N.J., E2267
Arcuri, Michael A., N.Y., E2271
Baldwin, Tammy, Wisc., E2270
Blumenauer, Earl, Ore., E2275
Boozman, John, Ark., E2274
Brady, Kevin, Tex., E2276
Camp, Dave, Mich., E2268
Conyers, John, Jr., Mich., E2276
Costello, Jerry F., Ill., E2275
Courtney, Joe, Conn., E2275
Dingell, John D., Mich., E2276
Donnelly, Joe, Ind., E2274
Emerson, Jo Ann, Mo., E2273
Gerlach, Jim, Pa., E2269, E2270
Issa, Darrell E., Calif., E2265
Johnson, Eddie Bernice, Tex., E2270, E2277
Jordan, Jim, Ohio, E2269
King, Peter T., N.Y., E2272
Kirk, Mark Steven, Ill., E2273
McCollum, Betty, Minn., E2274
McDermott, Jim, Wash., E2271
Marchant, Kenny, Tex., E2271
Mitchell, Harry E., Ariz., E2265, E2267, E2268, E2269
Moore, Dennis, Kans., E2267
Poe, Ted, Tex., E2272
Posey, Bill, Fla., E2273
Rogers, Mike, Ala., E2266
Rothman, Steven R., N.J., E2269
Roybal-Allard, Lucille, Calif., E2272
Schiff, Adam B., Calif., E2269
Shimkus, John, Ill., E2265
Smith, Adam, Wash., E2274
Smith, Adrian, Nebr., E2273, E2277
Souder, Mark E., Ind., E2265
Space, Zachary T., Ohio, E2267, E2270, E2273, E2274, E2277
Tsongas, Niki, Mass., E2277
Woolsey, Lynn C., Calif., E2273
Young, Don, Alaska, E2266

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