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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. CONNOLLY of Virginia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 16, 2009.

I hereby appoint the Honorable GERALD E. CONNOLLY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Lord of the ages and ever-present to faithful believers, You are our source of life and our strength.

The character of a people is easily fashioned by the typology of their land, the households of their families, and their history. Yet through all the changes of time and space, You, Lord, may step in and make an even greater difference in the lives of individuals and in the life of a nation.

Be with our beloved country and its government leaders today and throughout this coming week. May true goodness and lasting peace radiate from Your people and give You glory now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. LYNCH 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 9, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 9, 2009 at 4:26 p.m.:

That the Senate passed without amendment H. Con. Res. 210.

With best wishes I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 9, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 9, 2009, at 1:40 p.m.:

That the Senate passed S. 806.

That the Senate passed S. 1860.

Appointments:

Commission on Wartime Contracting in Iraq and Afghanistan.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 10, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 10, 2009, at 9:29 a.m.:

That the Senate passed without amendment H.R. 955.

That the Senate passed without amendment H.R. 1516.

That the Senate passed without amendment H.R. 1713.

That the Senate passed without amendment H.R. 2004.

That the Senate passed without amendment H.R. 2215.

That the Senate passed without amendment H.R. 2760.

That the Senate passed without amendment H.R. 2972.

That the Senate passed without amendment H.R. 3119.

That the Senate passed without amendment H.R. 3386.

That the Senate passed without amendment H.R. 3547.

That the Senate passed S. 1825.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

Printed on recycled paper.

HOUR OF MEETING ON TOMORROW

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. tomorrow for morning-hour debate.

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

There was no objection.

BRING OUR TROOPS HOME

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

Mr. DUNCAN. Mr. Speaker, there is nothing conservative about the war in Afghanistan. The Center for Defense Information said a few months ago that we had spent over $400 billion on the war and war-related costs there. Now, the Pentagon says it will cost about $1 billion for each 1,000 additional troops we send to Afghanistan. One Republican Member from California told me recently that we could buy off every warlord in Afghanistan for $1 billion.

Fiscal conservatives should be the ones most horrified by all this spending. Conservatives who oppose big government and huge deficit spending at home should not support it in foreign countries just because it is being done by our biggest bureaucracy, the Defense Department.

We have now spent $1.5 trillion that we did not have—that we had to borrow—in Iraq and Afghanistan. Eight years is long enough. In fact, it is too long. Let's bring our troops home and start putting Americans first once again.

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 after 6:30 p.m. today.

W. HAZEN HILLYARD POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3767) to designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the ''W. Hazen Hillyard Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3767

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

SECTION 1. W. HAZEN HILLYARD POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, shall be known and designated as the ''W. Hazen Hillyard Post Office Building''.

(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 ''W. Hazen Hillyard Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, as the chairman of the House subcommittee with jurisdiction over the United States Postal Service, I present H.R. 3767 for consideration. This legislation will designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the ''W. Hazen Hillyard Post Office Building.''

H.R. 3767 was introduced by my friend and colleague Representative ROB BISHOP of Utah on October 8, 2009, and it was favorably reported out of the House Oversight Committee by voice vote on October 29, 2009. In addition, this legislation enjoys the support of the entire Utah House delegation.

A native of the city of Smithfield, Utah, Mr. W. Hazen Hillyard was born on June 6, 1893, and dedicated his life and career to serving his beloved Smithfield community. Mr. Hillyard began his career in public service as a member of the Smithfield City Council from 1930 to 1933, during which time he sponsored a variety of community projects designed to enhance and revamp the city.

Notably, Mr. Hillyard's tenure on the Smithfield City Council, on which he also served from 1964 to 1968, included his meticulous research effort to verify, upgrade, and catalog the records of the Smithfield City Cemetery. In addition, Mr. Hillyard's lifelong service to his Smithfield community included his active membership in the local Kiwanis Club, a Smithfield service organization, which elected Mr. Hillyard as its president in 1937. Moreover, Mr. Hillyard also served as chairman of the City Library Board, chairman of the Smithfield Historical Heritage Society, and vice chairman of the Cache Valley Council of the Boy Scouts of America for several years. The latter organization presented Mr. Hillyard with its Silver Beaver Award in recognition of his long-time service to the scouting program.

In 1934, Mr. Hillyard began a new career in public service when he was appointed to serve as postmaster of Smithfield. Notably, at the beginning of Mr. Hillyard's tenure, the city of Smithfield did not provide home delivery, and as a result, residents had to call the post office in order to receive their mail. While Mr. Hillyard thoroughly enjoyed his interaction with residents as they stopped by the general delivery window for mail services, he also recognized the need for enhanced postal facilities and services as the population of Smithfield grew over the years. Accordingly, Mr. Hillyard played an instrumental role in obtaining a new and larger post office facility for Smithfield in 1957, and in 1963, he led a successful effort to implement home delivery of the mail to all houses in Smithfield.

During his service as Smithfield's postmaster, Mr. Hillyard was an active member of the Utah chapter of the National Postmasters Association and was eventually elected to serve as president of the Utah chapter in 1952. That same year and in furtherance of his role, Mr. Hillyard visited every single post office in the State of Utah.

In recognition of Mr. Hillyard's service to the Smithfield community, the Smithfield Lion's Club presented Mr. Hillyard with its Outstanding Citizen of the Year Award in 1974.

Regrettably, Mr. Hillyard passed away on April 22, 1992, at the age of 99. However, while he is no longer with us, Mr. Hillyard's life and legacy of public service will live on through his various accomplishments on behalf of his beloved Smithfield community.

Mr. Speaker, let us take this opportunity to honor Mr. W. Hazen Hillyard through the passage of this legislation to designate the Smithfield post office facility in his honor. I urge my colleagues to join me in supporting H.R. 3767.

I reserve the balance of my time.

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

I rise today in support of H.R. 3767, which designates the United States Post Office at 170 North Main Street in Smithfield, Utah, as the ''W. Hazen Hillyard Post Office Building.''

Mr. Hazen Hillyard of Smithfield, Utah, was born in 1893 and grew up on his family's farm. Always active in his community, he served on the Smithfield City Council twice from 1930 to 1933 and again from 1964 to 1968, being reelected after staying out of office 31 years.

While on the council, he worked tirelessly to upgrade the catalog of the records of Smithfield's city cemetery. He was also instrumental in a number of projects to beautify his hometown.

A member of many civic organizations, Mr. Hillyard served on the Smithfield Historical Heritage Society, was president of the local Kiwanis Club, vice chairman of the Cache Valley Council of the Boy Scouts of America, and was awarded the Silver Beaver

Award in recognition of his long service to scouting programs. Mr. Hillyard was also active in the Lion's Club of Smithfield and was awarded their Outstanding Citizen of the Year Award in 1974.

As my colleague, the gentleman from Massachusetts, has mentioned, Mr. Hillyard was appointed postmaster of Smithfield's post office in 1934, and at that time there was no home delivery for citizens of that town. He was so active, as my colleague has mentioned, that he was elected president of the Postmasters Association in 1952. And under his leadership and direction, the Smithfield post office grew in size and was able to start home delivery and other services.

Throughout his life, Mr. Hillyard was a central figure in Smithfield, dedicating his life to the advancement of that city. He did live a long life and passed away in 1992 at the age of 99.

As my colleague has mentioned, this is a very worthwhile and appropriate piece of legislation. I urge my colleagues to join me in supporting H.R. 3767.

Mr. Speaker, I have no other speakers and will yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I appreciate the gentleman's kind words.

I would ask all our Members to join with Representative ROB BISHOP of Utah in supporting this very deserving resolution to name this post office on behalf of W. Hazen Hillyard.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3767.

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. LYNCH. 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.

□ 1415

EXTENDING AUTHORITY FOR RELOCATION EXPENSES

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1825) to extend the authority for relocation expenses test programs for Federal employees, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1825

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

SECTION 1. RELOCATION EXPENSES TEST PROGRAMS.

(a) IN GENERAL.—Section 5739 of title 5, United States Code, is amended—

(1) in subsection (a), by striking paragraph (3);

(2) in subsection (b)—

(A) by inserting ''or extended'' after ''approved''; and

(B) by inserting ''or extension'' after ''of the program'';

(3) by striking subsection (c) and inserting the following:

''(c)(1) An agency authorized to conduct a test program under subsection (a) shall annually submit a report on the results of the program to date to the Administrator.

''(2) Not later than 3 months after completion of a test program, the agency conducting the program shall submit a final report on the results of the program to the Administrator and the appropriate committees of Congress.'';

(4) in subsection (d), by striking ''10'' and inserting ''12''; and

(5) by striking subsection (e) and inserting the following:

''(e)(1) The Administrator may not approve any test program for an initial period of more than 4 years.

''(2)(A) Upon the request of the agency administering a test program, the Administrator may extend the program.

''(B) An extension under subparagraph (A) may not exceed 4 years.

''(C) The Administrator may exercise more than 1 extension under subparagraph (A) with respect to any test program.''.

(b) EFFECTIVE DATE.—This section shall take effect on December 18, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I present Senate bill 1825 for consideration. This legislation will grant the General Services Administration the permanent authority to approve Federal agency requests to operate programs that test alternative methods of compensating employees for relocation and travel expenses.

Senate 1825 was introduced on October 21, 2009, by Senator Joe LIEBERMAN of Connecticut, and it was favorably reported by the Senate Homeland Security and Governmental Affairs Committee on November 4, 2009. In addition, the legislation passed the United States Senate by unanimous consent on November 9, 2009.

Mr. Speaker, the General Services Administration was granted the authority to approve Federal agency travel and relocation expenses test programs via the Travel Transportation Reform Act of 1998. Through the test programs facilitated by the act, Federal agencies have been able to test new and innovative methods of reimbursing relocation and travel expenses in order to enhance cost savings for the Federal Government. Notably, the current authority granted to the General Services Administration is scheduled to expire in December of 2009.

Mr. Speaker, S. 1825 will therefore ensure that agencies will continue to have the flexibility to use the compensation methods with respect to relocation and travel costs that work best for them and that are in the best interests of the Federal Government. In addition, I would like to note that according to the Congressional Budget Office, the net impact of S. 1825 on the Federal budget would not be significant.

Mr. Speaker, I urge my colleagues to join me in supporting Mr. LIEBERMAN and S. 1825.

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

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

Mr. Speaker, I rise in support of S. 1825, which would make permanent the authority of the U.S. General Services Administration to approve Federal agencies' requests to operate programs to test alternative methods of compensating employees for relocation and travel expenses. This bill passed the Senate on November 9 by unanimous consent. GSA's current authority to authorize such a program would have otherwise expired in December of this year.

By acting now we are allowing successful test programs to continue to operate and are giving GSA authority to approve more of them. Many of these relocation expense test programs have been successful in not only making government run more efficiently but also in achieving cost savings. Other provisions of this bill would expand the number of test programs that can run at the same time from 10 to 12 and allow them to operate for a maximum of 8 years. Based on information from GSA and the agencies involved, CBO estimates that there would be no cost to the Federal Government if this bill is passed.

Unfortunately, these relocation and travel expense programs have been subject to major scandals over the past few years, and each and every agency should watch these expenses very closely; and, hopefully, these test programs will lead to a closer and more honest accounting of this type of money for the Federal Government and for our taxpayers.

At a time when the Federal deficit is soaring, it is important that we continue successful programs that make the government more efficient and hopefully save money.

I urge my colleagues to support S. 1825.

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

Mr. LYNCH. Mr. Speaker, I thank my friend for his kind words. Again I ask all the Members from both sides of the

aisle to join with Senator LIEBERMAN in supporting Senate 1825.

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 Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, S. 1825.

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.

PATRICIA D. MCGINTY-JUHL POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3539) to designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the ''Patricia D. McGinty-Juhl Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3539

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

SECTION 1. PATRICIA D. MCGINTY-JUHL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, shall be known and designated as the ''Patricia D. McGinty-Juhl Post Office Building''.

(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 ''Patricia D. McGinty-Juhl Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous material.

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

There was no objection.

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

Mr. Speaker, I am pleased to present H.R. 3539 for consideration. This legislation will designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the ''Patricia D. McGinty-Juhl Post Office Building.''

H.R. 3539 was introduced by my friend and colleague, Representative Albio Sires, on September 8, 2009, and favorably reported out of the House Oversight Committee by unanimous consent on October 29, 2009. In addition, this legislation enjoys the support of the entire New Jersey House delegation.

A native of the town of Harrison, New Jersey, Patricia McGinty-Juhl dedicated the majority of her life to public service as an employee of the United States Postal Service for over 33 years.

Ms. McGinty-Juhl began her distinguished career with the postal service in 1973 as a distribution clerk at the New York International and Bulk Mail Center located in Jersey City, New Jersey. During her more than three decades of service, Ms. McGinty-Juhl also served in a variety of personnel and benefits positions with the Postal Service Human Resources Division, as well as in the Government Relations Department at postal headquarters as a congressional liaison.

Most recently, in recognition of her tremendous talent and admirable dedication to her coworkers, Ms. McGinty-Juhl served as western area manager of human resources from April of 2001 until her unexpected passing on October 16, 2006.

In remembrance of Ms. McGinty-Juhl's life and career, United States Postmaster General Jack Potter offered the following tribute upon the untimely passing of this dedicated postal employee: ''Patti will be greatly missed, both as a manager and as a warm and giving person. She made a difference for the postal service and for our employees.''

Mr. Speaker, let us take this opportunity to honor Ms. Patricia McGinty-Juhl for her 33 years of public service by designating the Harrison Avenue postal facility in Harrison, New Jersey, in her honor.

I urge my colleagues to join me in supporting H.R. 3539.

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

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

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 3539, which designates the United States postal facility located at 427 Harrison Avenue in Harrison, New Jersey, as the ''Patricia D. McGinty-Juhl Post Office Building.''

Patricia McGinty-Juhl, a native of Harrison, New Jersey, had an impressive and distinguished career with the United States Postal Service for 3 years as a manager and executive. While working in the human resources office, she was instrumental in overseeing affirmative action issues on behalf of employees as the district women's program coordinator. As a result of her work, she was offered a position at the U.S. Postal Service headquarters in Washington as the national women's program manager.

Once in Washington, Ms. McGinty-Juhl continued to impress those who worked with her. As a result of her work ethic and leadership skills, she was offered the position of government relations liaison to congressional offices. The Postmaster General, Jack Potter, often spoke of Ms. McGinty-Juhl as an outstanding manager and a warm and giving person.

Ms. McGinty-Juhl passed away at her home in 2006.

I urge my colleagues to join me in supporting H.R. 3539 and recognizing Ms. McGinty-Juhl's dedication to the betterment of the United States Postal Service.

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

Mr. LYNCH. I thank the gentleman from Tennessee for his kind remarks.

Mr. Speaker, again I urge my colleagues to join with Representative ALBIO SIRES from New Jersey in honoring Ms. Patricia McGinty-Juhl to the passage of H.R. 3539.

Mr. SIRES. Mr. Speaker, I rise in support of H.R. 3539 which would designate the U.S. Postal Service building located at 427 Harrison Avenue in Harrison, New Jersey as the ''Patricia D. McGinty-Juhl Post Office.''

Born and raised in Harrison, New Jersey, Mrs. McGinty-Juhl had a long and distinguished career with the Postal Service that spanned over 33 years. Her professional accomplishments serving New Jersey included clerking at the New York International Bulk Mail Center in Jersey City, a variety of Personnel and Benefits positions within Human Resources, and the District Women's Program Coordinator working on affirmative action activities on behalf of all employees. Later she became the National Women's Program Manager at USPS National Headquarters as National Women's Program Manager.

In recognition of her enormous talent and ability to work with people, Mrs. McGinty-Juhl was offered a position in Government Relations serving as the Government Relations Liaison to Congressional offices. She later moved over to the Human Resource Department at Postal Service Headquarters as the Program Manager, Research and Communications, where she worked with national leaders on postal issues.

She ended her career as Western Area Manager of Human Resources where she served until her death on October 16, 2006. Speaking on behalf of postal employees everywhere, Postmaster General Jack Potter gave the following tribute to Mrs. McGinty-Juhl: ''Patti will be greatly missed, both as a manager and as a warm and giving person. She made a difference for the Postal Service and for our employees.''

I am pleased to celebrate this dedicated civil servant through this legislation. I cannot think of a better way to honor Mrs. McGinty-Juhl's legacy than by designating a U.S. Postal Office in her name—a place in which she devoted her life's work.

I urge my colleagues to support this legislation.

Mr. LYNCH. 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3539.

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. LYNCH. 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.

FDR DOCUMENTS ACT

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1506) to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1506

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

SECTION 1. TREATMENT OF OWNERSHIP OF CERTAIN DOCUMENTS RELATING TO FRANKLIN DELANO ROOSEVELT.

(a) IN GENERAL.—If any person or entity makes a gift of any property described in subsection (b) to the National Archives and Records Administration, then any claim of the United States to such property shall be treated as having been waived and relinquished on the day before the date of such gift.

(b) PROPERTY DESCRIBED.—Property is described in this subsection if such property—

(1) is a part of the collection of documents, papers, and memorabilia relating to Franklin Delano Roosevelt or any member of his family or staff; and

(2) was in the possession of Grace Tully and retained by her at the time of her death.

(c) DATE OF GIFT.—The date of a gift referred to in subsection (a) is any date specified by the donor so long as such date is subsequent to the physical delivery of the property described in subsection (b) to the National Archives and Records Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I present H.R. 1506 for consideration. This legislation will facilitate the donation of the Grace Tully archive to the National Archives and Records Administration. H.R. 1506 was introduced by my friend and colleague, Representative LOUISE SLAUGHTER of New York, on March 12, 2009, and favorably reported out of the Oversight Committee by voice vote on October 29, 2009. In addition, the Senate companion bill to H.R. 1506, Senate bill 692, introduced by Senator CHARLES SCHUMER of New York, was passed by the United States Senate on October 14, 2009, by unanimous consent.

Mr. Speaker, Ms. Grace Tully served as the personal secretary of President Franklin Delano Roosevelt from June of 1941 to April of 1945. In her capacity as personal secretary to the President, Ms. Tully preserved an assortment of personal papers and other historical items related to President Roosevelt that have come to form a historically significant collection.

While the private owner of the Grace Tully collection would like to donate the materials to the Franklin Delano Roosevelt Presidential Library, the National Archives and Records Administration, which administers the Roosevelt Library, has asserted a claim to a portion of the collection. Notably, the claim asserted by the National Archives impacts whether the private owner may claim a tax deduction for the donation.

In order to facilitate the donation of the Grace Tully archive, H.R. 1506 waives the government's claim to the records and will thereby allow the collection to be gifted to the Roosevelt Library.

Mr. Speaker, the Grace Tully archive represents an important part of American history. Through the passage of H.R. 1506, we will ensure that this collection will be properly preserved and made publicly available through the Roosevelt Library. I would also like to note that this legislation enjoys the support of the National Archives.

As noted by former Acting Archivist Adrienne Thomas in a letter sent to the Oversight Committee last month: ''I write to express my strong support for the ongoing legislative effort to facilitate the donation to the Franklin D. Roosevelt Presidential Library of the Tully archive through House bill H.R. 1506 and its Senate companion, Senate 692.''

Ms. Thomas went on to say that ''it is very important to the National Archives and Records Administration, and for future historians that might want to study these papers, for the Tully archive to be kept intact and made fully accessible to the American people in a public government archive.''

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1506.

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

□ 1430

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

Mr. Speaker, H.R. 1506 would waive certain claims of the United States to specific documents relating to Franklin Delano Roosevelt. The papers, known as the Tully Collection, are said to be an important and valuable collection of materials relating to President Roosevelt's time in office. Grace Tully served as part of Franklin Roosevelt's secretarial staff for several decades, and in 1941 became his personal secretary. After her death her collection of personal papers passed on through her niece into the hands of private collectors and finally to the current owners, Sun Times Media, who bought the collection for $8 million in 2001.

In 2004 the National Archives asserted a claim to a portion of the documents. Sun Times Media wishes to donate the entire collection to President Roosevelt's Presidential Library in Hyde Park, New York. Due to the Archives' formal claim, however, Sun Times Media is prevented from receiving a tax deduction on the donation. This bill aims to alleviate the legal claims of the United States and the Archives, thereby clearing the way for the donation and the deduction.

I understand this bill is a priority for certain Members of the New York delegation. I also understand the Archives has offered its support for this legislation in a letter to the committee. Nevertheless, I want to briefly highlight two points.

First, given the multiple ongoing instances of mismanagement at the Archives, we need to take a close look at all legislation relating to this agency. Second, the majority moved this bill without a hearing. We should have a better understanding of this legislation, particularly how it relinquishes the Federal Government's claim to certain documents while benefiting certain entities through tax breaks.

Mr. Speaker, I hope we can take a closer look at this bill as it moves through the legislative process.

I have no other speakers, and I yield back the balance of my time.

Mr. LYNCH. On behalf of the sponsor here, Representative LOUISE SLAUGHTER, I encourage my friends from both sides of the aisle to join us in supporting H.R. 1506.

Ms. SLAUGHTER. Mr. Speaker, I rise today in support of H.R. 1506, which will allow for the National Archives to acquire the Grace Tully collection of documents and memorabilia pertaining to President Franklin Delano Roosevelt. The passage of this important legislation could not be timelier, and will allow the American people to have access to historical documents that provide unique insight into the life of one of our nation's greatest Presidents.

Grace Tully was one of the most important figures in President Roosevelt's life. She began her professional career working for Eleanor Roosevelt, and worked for FDR from his time as Governor of New York through his death in 1945. From 1941, Grace Tully served as the President's personal secretary and she frequently traveled with the President. Her collection of documents and personal correspondence from this time span one of the most challenging eras in our nation's history and provide unique insight into the thinking of our nation's longest serving President.

The collection includes a draft copy of President Roosevelt's speech to the 1936 Democratic Convention in which he famously said that "This generation of Americans has a rendezvous with destiny." Much of the collection gives a behind the scenes look at how the President fulfilled his promise to that convention. It includes personal correspondence that

discussed the creation of Social Security and other programs that were integral to the New Deal. The collection also includes draft copy of the President's 1941 address to a joint session of Congress. The handwritten notes on the draft discuss the attack on Pearl Harbor and the President's timeless statement that December 7, 1941 was a "date which will live in infamy."

Beyond major statements and addresses, Ms. Tully's collection helps shed light on the important relationship the President had with Winston Churchill. There is personal correspondence between Roosevelt and Churchill which discuss important topics leading up to the Yalta Conference in 1945. But there is also more lighthearted correspondence including scorecards of poker games between the two heads of state.

The passage of this legislation will allow for the public to have access to this valuable collection, which provides important insight into one of the most important and transitional eras in the country's history. I encourage my colleagues to support this legislation.

Mr. LYNCH. I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 1506.

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.

DR. MARTIN LUTHER KING, JR. POST OFFICE

Mr. BLUMENAUER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1314) to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr. Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1314

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

SECTION 1. DR. MARTIN LUTHER KING, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, shall be known and designated as the "Dr. Martin Luther King, Jr. Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Dr. Martin Luther King, Jr. Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. BLUMENAUER) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair now recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. BLUMENAUER. Mr. Speaker, I would 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 Oregon?

There was no objection.

Mr. BLUMENAUER. I yield myself such time as I may consume. Mr. Speaker, I'm pleased to present Senate bill 1314 for consideration. This legislation would designate the United States postal facility located at 630 Northeast Killingsworth Avenue in Portland as the Dr. Martin Luther King, Jr. Post Office. Hopefully, today we will finish an effort I've been involved with for the last two Congresses to accomplish this honor for Dr. King, but more important, for our community. This legislation passed last Congress, but the Senate somehow didn't get around to acting upon it, and we passed it again this Congress, September 22, by a 411–0 margin. The legislation enjoys the unanimous support of the entire Oregon House and Senate delegation.

Senate bill 1314 was introduced by my friend and colleague, Senator RON WYDEN, last June, and passed the Senate this summer by unanimous consent. Mr. Speaker, I would thank the Committee on Government Oversight and Reform for their continued partnership in moving the legislation through the House and bringing us to this consideration. I am pleased to have worked with Senator WYDEN to move his identical Senate version of the bill back to the House, as our legislation was held under a procedural hold in the Senate.

Regardless, we have an opportunity now to be able to put a final note on this chapter to make this important link to a postal service in our community. It is appropriate as we think about the United States Postal Service that has been voted for five consecutive years as the most trusted government agency. For Americans, the Postal Service provides a consistent and positive connection between the government and the people. And it's, I think, appropriate that the genesis of this legislation was the result of a community-led effort that was inspired by two local letter carriers from my district.

Back in 2007 Mr. Jamie Partridge and Mr. Isham Harris collected employees' signatures supporting the naming, as well as letters of support from all the surrounding neighborhood associations. These individuals brought the community together to honor not just Dr. King, but also Oregon's somewhat rocky path to racial equality and social justice. While our State ratified the 14th amendment expanding citizenship and providing equal protection under the law back in 1868, our State, sadly, continued to deny African Americans the right to vote under the terms of the original state constitution.

This was an area of great struggle in our community. Oregon had a sad chapter where it had a virulent, powerful, Ku Klux Klan presence, electing elected officials and inspiring some really unfortunate State legislation. In part, inspired by this struggle, in 1914, the NAACP opened a chapter in Portland which continues to this day as the oldest continually chartered chapter of the NAACP west of the Mississippi. They were part of the leadership that finally amended the Oregon Constitution in 1927 to remove the clause denying African Americans the right to vote. For the next 30 years they were involved in efforts with leaders like Dr. Martin Luther King not just to end segregation and racial discrimination, but to promote equality. It was a struggle that we faced continuously in our community in the 1950s, such as battles over open housing.

We are well familiar, all of us, with the remarkable life and legacy of Dr. King, who provided a face and a voice to the civil rights movement, one of the greatest orators in the history of the United States who provided national leadership and local inspiration in our community. I am pleased to honor this legacy with the full support of the Oregon congressional delegation. This post office will serve as a daily reminder of Dr. King's legacy and of the struggle in Oregon and around the country to reach our objective of individual dreams being fulfilled free of artificial barriers such as skin color, religious affiliation, gender, and sexual orientation.

I urge my colleagues to join me in supporting S. 1314 and achieve that goal.

I reserve the balance of my time.

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

Mr. Speaker, I want to first commend my colleague, the gentleman from Oregon, for bringing this legislation to the floor today, and I rise to express my strong support for this bill designating the post office located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr. Post Office." The leadership of Dr. Martin Luther King, Jr., during the civil rights movement helped to make America the country it is today. Because of Dr. King's many accomplishments in the pursuit of justice and liberty, he clearly deserves this simple honor and recognition that we can bestow on him.

Dr. King began his career as a Baptist minister who was also the leading civil rights figure in this country during the 1950s and 1960s. Dr. King's lifelong crusade to end all forms of racial inequity and discrimination was instrumental in enlightening the country with regard to civil rights for all citizens. Dr. King led the Montgomery bus boycott in 1955, helped to found the Southern Christian Leadership Conference in 1957, and was instrumental in orchestrating the famous Birmingham protest.

Dr. King was awarded the Nobel Peace Prize in 1964, which helped show the world that racial discrimination

could be ended through nonviolent means. He was also awarded the Presidential Medal of Freedom and a Congressional Gold Medal. In recognition of his many accomplishments for our country, in 1983 Congress established a national holiday as a tribute to his memory. Later in Dr. King's life, he expanded his message of equality to apply to impoverished Americans of all races and cultures. Dr. King dedicated his life to ensuring the principles this country holds so dear, those of liberty and justice for all of our citizens.

Not quite 4 years ago, Mr. Speaker, I was given the honor of being the grand marshal of the Martin Luther King parade in Knoxville, Tennessee. And I believe I have attended all but one of the many Martin Luther King celebrations at the Greater Warner Church in Knoxville. I'm also very proud of the fact that my father, who served for 6 years as mayor of Knoxville, led the peaceful integration of that city. And in 1962, Look magazine awarded Knoxville an All-America City Award, primarily because of the peaceful integration that we accomplished in our city.

I think this legislation is very fitting and appropriate, and I urge my colleagues to support it.

I have no other speakers, and so I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I thank my good friend from Tennessee for his thoughtful words of support, for his concern and his adding historical perspective on how we're all in debt to Dr. King and how it has, in fact, inspired people north, east, west and south to be able to deal with the legacy of promoting a world hopefully free of discrimination. Mr. Speaker, I would hope that the House would join us in approving this measure to honor not just Dr. King, but, as I mentioned, focus on the struggle in our community to reach these ideals, one that continues to this day. The designation of the post office in honor of Dr. King will be an ongoing reminder of what we have to do ahead as well as the progress we've made.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. BLUMENAUER) that the House suspend the rules and pass the bill, S. 1314.

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. BLUMENAUER. 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.

RECESS

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

Accordingly (at 2 o'clock and 43 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. DAHLKEMPER) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 1314, by the yeas and nays;

H.R. 3539, by the yeas and nays;

H.R. 3767, de novo.

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

DR. MARTIN LUTHER KING, JR. POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, S. 1314, 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 Oregon (Mr. BLUMENAUER) that the House suspend the rules and pass the bill, S. 1314.

The vote was taken by electronic device, and there were—yeas 373, nays 0, not voting 61, as follows:

[Roll No. 889]

YEAS—373

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
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
Blumenauer
Blunt
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
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
Garamendi
Garrett (NJ)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murtha
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—61

Alexander
Barrett (SC)
Berman
Bonner
Brady (TX)
Braley (IA)
Brown (SC)
Cantor
Capuano
Costello
Crenshaw
Davis (AL)

Davis (CA)
Deal (GA)
DeGette
Delahunt
Gerlach
Giffords
Gingrey (GA)
Graves
Grijalva
Gutierrez
Harman
Hastings (WA)
Heinrich
Hoekstra
Israel
Jackson-Lee (TX)
Kilpatrick (MI)
Kilroy
Kirkpatrick (AZ)
Kissell
LaTourette
Lowey
Luján
Lynch
Maffei
Markey (CO)
McGovern
McKeon
Meeks (NY)
Mitchell
Moran (VA)
Murphy, Patrick
Murphy, Tim
Neal (MA)
Pingree (ME)
Platts
Rohrabacher
Roskam
Rush
Schock
Skelton
Smith (WA)
Stark
Tanner
Teague
Tiahrt
Wamp
Waxman
Wexler

□ 1858

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.

PATRICIA D. McGINTY-JUHL POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3539, 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3539.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 367, nays 0, not voting 67, as follows:

[Roll No. 890]

YEAS—367

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
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
Blumenauer
Blunt
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
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
Garamendi
Garrett (NJ)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McHenry
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murtha
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
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)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—67

Alexander
Barrett (SC)
Berman
Bonner
Brady (TX)
Braley (IA)
Brown (SC)
Cantor
Capuano
Costa
Costello
Crenshaw
Davis (AL)
Davis (CA)
Deal (GA)
DeGette
Delahunt
Gerlach
Giffords
Gingrey (GA)
Graves
Grijalva
Gutierrez
Hall (NY)
Harman
Hastings (WA)
Heinrich
Hoekstra
Israel
Jackson-Lee (TX)
Kilpatrick (MI)
Kilroy
Kirkpatrick (AZ)
Kissell
LaTourette
Lowey
Luján
Lynch
Maffei
Markey (CO)
McCaul
McGovern
McKeon
Meeks (NY)
Mitchell
Moran (VA)
Murphy, Patrick
Murphy, Tim
Neal (MA)
Pingree (ME)
Platts
Rohrabacher
Rooney
Roskam
Rush
Schock
Skelton
Smith (WA)
Souder
Speier
Stark
Tanner
Teague
Tiahrt
Wamp
Waxman
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1906

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HALL of New York. Madam Speaker, on rollcall No. 890, I was absent due to a telephone interview. Had I been present, I would have voted "yea."

W. HAZEN HILLYARD POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3767.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3767.

The question was taken.

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

RECORDED VOTE

Mr. TONKO. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 368, noes 0, not voting 66, as follows:

[Roll No. 891]

AYES—368

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
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
Blumenauer
Blunt
Boccieri
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
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
Garamendi
Garrett (NJ)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murtha
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—66

Alexander
Barrett (SC)
Berman
Boehner
Bonner
Brady (TX)
Braley (IA)
Brown (SC)
Cantor
Capuano
Cole
Costello
Crenshaw
Davis (AL)
Davis (CA)
Deal (GA)
DeGette
Delahunt
Gerlach
Giffords
Gingrey (GA)
Gohmert
Graves
Grijalva
Gutierrez
Harman
Hastings (WA)
Heinrich
Hoekstra
Israel
Jackson-Lee (TX)
Kilpatrick (MI)
Kilroy
Kirkpatrick (AZ)
Kissell
LaTourette
Lowey
Luján
Lynch
Maffei
Markey (CO)
McGovern
McKeon
Meeks (NY)
Mitchell
Moore (WI)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Neal (MA)
Pingree (ME)
Platts
Rohrabacher
Roskam
Rush
Schock
Skelton
Smith (WA)
Stark
Tanner
Teague
Tiahrt
Walden
Wamp
Waxman
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1912

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this Chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 889 and, 890, and "aye" on rollcall vote 891.

PERSONAL EXPLANATION

Mr. BRALEY of Iowa. Madam Speaker, I regret missing floor votes on Monday, November 16, 2009. If I was present, I would have voted:

"Yea" on rollcall 889, agreeing to S. 1314, A bill to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr. Post Office".

"Yea" on rollcall 890, agreeing to H.R. 3539—To designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the "Patricia D. McGinty-Juhl Post Office Building".

"Aye" on rollcall 891, agreeing to H.R. 3767—To designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the "W. Hazen Hillyard Post Office Building".

PERSONAL EXPLANATION

Ms. GIFFORDS. Madam Speaker, today I was absent due to an illness and missed rollcall votes 889, 890 and 891.

Had I been present, I would have voted "yea" on rollcall 889, "yea" on rollcall 890 and "aye" on rollcall 891.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Madam Speaker, I was unavailable to vote today. Had I been present, I would have voted "yea" for S. 1314, "yea" for H.R. 3539, and "aye" for H.R. 3767 on final passage under suspension of the rules.

PERSONAL EXPLANATION

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, on rollcall No. 889, 890, and 891, I was unavoidably detained.

Had I been present I would have voted "yea" on rollcall No. 889, "yea" on rollcall No. 890; and "aye" on rollcall No. 891.

CONGRATULATING MORRIS AND GERTRUDE SOLOMON

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

Mr. TONKO. I would like to take a moment to honor a very special 75th anniversary celebrated by two of my constituents, Morris and Gertrude Solomon. Morris and Gertrude were married in New York City on November 16, 1934. Two years later, in 1936, they moved to Albany, where they have resided ever since.

Upon moving to Albany, Morris bought his own pharmacy, where he served mostly the children of immigrants, as Morris himself was an immigrant, and he earned the nickname Doc. His credit plan during World War II and difficult economic times was "pay me when you can."

Gert stayed home raising Harold and Barry. Afterwards, she went to work for the State of New York, retiring in 1976, the same year that Moe sold the drugstore and retired. They have five children and five great grandchildren.

Madam Speaker, this year Gert and Moe both celebrated their 97th birthdays. May their 75th wedding anniversary be an occasion for all of us to reflect on their many extraordinary achievements, and an occasion to celebrate life, love, and a unique closeness between two incredibly strong and caring individuals. Their relationship with one another, their family, and their community is a model to emulate.

Congratulations to this wonderful couple.

□ 1915

DIABETES AWARENESS MONTH

(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. Madam Speaker, Diabetes Awareness Month is our effort to raise awareness of the disease, its prevention, and ways to manage its impact. There are 24 million Americans living with diabetes. That's about 8 percent of our population. There are 1.6 million cases diagnosed every year, and 57 million Americans are at risk with prediabetes.

As encouraged by the American Diabetes Association, we must promote the four-step method of sharing, acting, learning, and giving:

sharing our personal stories of diabetes;

acting to help end the rise of new cases;

learning about the risks and ways to manage and control the disease;

giving of our time and resources to advance diabetes research.

Let's all make an effort to learn about the dangers of diabetes and best prevention practices, let's celebrate, and indeed, let's bring a greater awareness to this terrible disease.

HONORING ATLANTIS STS–129 FLIGHT CREW

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

Mr. BOCCIERI. Madam Speaker, Godspeed to Michael Foreman. It seems like a short time ago we were offering Godspeed to John Glenn. Mr. Foreman is among six members of the space shuttle Atlantis STS–129 flight team which earlier today blasted off at 2:28, took off from NASA's Kennedy Space Center at Cape Canaveral to begin an 11-day mission making repairs to the international space station. The crew includes: Mission Specialist Michael Foreman, Commander Charles Hobaugh, Pilot Barry Wilmore and other Mission Specialists Randy Bresnik, Leland Melvin, and Robert Satcher, Jr.

As a mission specialist aboard this flight, Michael Foreman, from Wadsworth, Ohio, in my district, will participate in two of the mission's three space walks where he will install exterior equipment on the International space station. However, Mr. Foreman is no stranger to space travel. He has logged more than 380 hours in space and completed three previous space walks in other NASA missions.

For his commitment to America's leadership and space exploration, Michael Foreman is a hometown hero, and he brings great pride to the city of Wadsworth and the 16th District. Please join me in wishing him and all members of the Atlantis STS–129 crew the best of luck on this important mission and a safe return on November 27.

STILL INDECISIVE

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

Mr. POE of Texas. Madam Speaker, here we are after Veterans Day still indecisive. Our soldiers continue to fight in Afghanistan. Winter is setting in. The commander of our Afghan forces laid out the plan to defeat al Qaeda and their Taliban terrorist pals. General McChrystal says he needs more troops to defeat the terrorists. The response has been months of indecision, doubt and delays that have encouraged the enemy. Losing Afghanistan to radical terrorists hangs in the balance.

So what's the holdup? Vietnam taught us that wars can't be won with political posturing. We owe our troopers a commitment to winning when we put them into the valley of the gun.

Churchill once said, ''As long as we have faith in our own cause and an unconquerable will to win, victory will not be denied us.'' It is that dogged determination, the will to win that is essential to victory and freedom's cause.

The courage and capability of America's fighting men and women are unequalled anywhere in the world. The only thing capable of defeating our military is politics.

And that's just the way it is.

A TRIBUTE TO THE ARES ROCKET

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

Mr. GRIFFITH. Madam Speaker, I rise today to recognize yet another achievement by north Alabama's Marshall Space Flight Center. Last week, Time magazine named NASA's Ares rocket as the best invention of 2009. We have seen time and again that tireless work and flawless execution breeds brilliant results, and that is exactly what we have seen out of the short history of Ares.

A few weeks after an impressive and successful test-flight, Ares received this review from Time magazine, calling the project ''the best and smartest thing built in 2009.'' The review of Ares said that the finest moments from our space program come when bureaucrats give the designers a clean sheet of drafting paper and let them dream. Our brilliant men and women in the American space program can do just that if they receive the funding they need to bring manned space flight to the outer reaches of our universe.

This recognition and the recent Ares flight further prove that the Constellation program is exactly what our country needs—a safe, innovative, affordable, sustainable human space flight exploration vehicle.

WARNINGS FROM THE CENTERS FOR MEDICARE & MEDICAID SERVICES

(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. Madam Speaker, lately we have heard from the Centers for Medicare & Medicaid Services about the Pelosi health care reform measure. Their 31-page actuarial report, released over the weekend, reads that the bill would increase costs over the next 10 years by $289 billion.

This is not a partisan report. It comes from the people who run the Medicare and Medicaid systems in the country. They warn that the provisions of the bill could lead to doctors and hospitals turning away Medicare patients.

They warn that some 18 million Americans will choose to pay a much lower fine than buy expensive health insurance coverage, because when they get sick and truly need insurance, they can buy it, since they won't be turned down for preexisting conditions.

They warn that a crush of new patients would shock the system.

They warn that the plan to cut more than $500 billion from future Medicare spending would sharply reduce benefits for some seniors and could jeopardize access to care for millions of others.

CMS should not have to issue warnings about the impact of a major piece of legislation that promises to change our entire system of health care and make it worse.

NEWSWEEK WINS LAPDOG AWARD AGAIN

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

Mr. SMITH of Texas. Madam Speaker, for the second time in a row, Newsweek is the winner of the Media Fairness Caucus' highly uncoveted ''Lapdog Award'' for last week's most glaring example of media bias.

The poster to my left of Newsweek's cover story features former Vice President Al Gore with the caption, ''The Thinking Man's Thinking Man.'' The previous Newsweek cover featured President Obama with the caption, ''Yes He Can,'' a variation of his campaign slogan. Before that, it was Vice President JOE BIDEN, ''A Vice President to be Reckoned With.'' And Newsweek's latest cover features Governor Sarah Palin and says she is, ''Bad News.'' It is no wonder five out of six Americans say the national media are biased, according to a recent public opinion poll.

If you want the liberal slant, read Newsweek. If you want the facts and news, you might want to look elsewhere.

WHY, MR. PRESIDENT?

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise to protest the misguided decision by President Obama and his Attorney General to bring Khalid Sheikh Mohammed and four terrorist suspects from Guantanamo Bay to New York City.

What an insult to the memory of those who lost their lives. The very man who masterminded that attack now will get his fondest wish. When he was captured on the battlefield, he said, Let me go to New York, and let me have my attorney. He will have his attorney. He will be in New York, just a stone's throw from the site of death by he and his compatriots.

What reason could we possibly have to bring them to the United States? Why, Mr. President, why, when we have Guantanamo, when we have military tribunals that are not only capable but

specifically provided to take care of those who would kill Americans on the battlefield? For what reason are we doing this?

Why, Mr. President? Why, Mr. President? Why?

TRY THE TERRORISTS IN GUANTANAMO, NOT NEW YORK CITY

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

Mr. GOHMERT. Madam Speaker, to follow up on my friend from California, he is exactly right. There is no good reason for bringing the most dangerous terrorists and terrorist organizers to the most densely populated area in our country. Those of us who have logistically been involved in setting up trials know that every bailiff, every guard, every person involved in the justice system will be at risk, as will their families.

So we know that every President brings their own kinds of experience to the office. This President does not have justice experience. He doesn't have military experience. He doesn't have foreign affairs experience. He doesn't have domestic affairs experience. He voted ''present'' so often. But what he has is community organizing experience, and that will be invaluable in organizing the communities in New York to get them off the island after the terrorists move in during the trial.

COSTS SOAR IN PELOSI'S TAKEOVER BILL

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

Mr. WILSON of South Carolina. Madam Speaker, the nonpartisan, independent experts at the Centers for Medicare & Medicaid Services, CMS, released their analysis of the Pelosi takeover. I would like to say it was shocking, but I already had my suspicions that the government takeover of health care was going to cost much more than claimed. The independent report this weekend exposes the truth and the real cost.

The report shows that the Pelosi takeover will increase health care costs by $289 billion. This discredits all the assertions we have heard about how a 2,000-page bill, the $1.3 trillion health care bill, will somehow lower costs. This health care takeover will violate this administration's promise to ''bend the cost curve.'' It will add more than a dime to the deficit and kill jobs.

There are better alternatives that Congress should consider, like H.R. 3400, that will lower health care costs for families and small businesses while creating jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. Mass murderers should be tried at Guantanamo Bay, not in New York City.

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.

SENDING MORE TROOPS IS NOT THE ANSWER

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

Ms. WOOLSEY. Madam Speaker, Matthew Hoh, a former Marine captain, recently resigned his job as U.S. Government reconstruction official in Afghanistan. In his letter of resignation, he criticized the American strategy in Afghanistan. He said the presence of large numbers of U.S. troops is making the insurgency stronger because it makes the Afghan people see America as an occupying power, a power that must be opposed.

Now, before anybody accuses Captain Hoh of being a long-haired hippie peacenik, keep in mind that he fought with distinction in Iraq before serving in Afghanistan. He believes in the American military. He supports it with all his heart.

□ 1930

In fact, he says that ''no nation has ever known a more dedicated military as the U.S. Armed Forces. The performance of our troops,'' he says, ''is unmatched.''

But he also, Madam Speaker, believes that no military force has ever been given such a complex mission as the U.S. military has received in Afghanistan.

Captain Hoh is right. Our troops have been given an impossible job, and now we are seeing the tragic results. Over 1,000 American troops have been wounded in battle in just the past 3 months. That accounts for one-fourth of all the casualties we've taken since the war began in October 2001.

Think about it. The war has been going on for 97 months in Afghanistan, and one-fourth of all the casualties have been suffered in just the last 3 months.

Things have gotten so bad, Madam Speaker, in fact, that the casualty rate in Afghanistan is now actually higher than the casualty rate for American troops at the height of the violence in Iraq. And the spike in the casualty rate occurred after the administration sent 21,000 more troops to Afghanistan in the hope that there is a military solution to the problem.

But relying on military power alone has not done the job, and escalating the war now by sending in tens of thousands more troops won't solve the problem either.

That's why I am calling on President Obama to change our mission in Afghanistan. I have urged him to devote most of our efforts on humanitarian aid, diplomacy, and economic development. These are the elements of ''SMART Security.'' They'll do a much better job of stabilizing Afghanistan than a heavy military footprint.

Without this change in strategy, our troops are likely to face worse, not better, situations. The enemy is learning how to use IEDs more efficiently. Lieutenant Thomas Metz, the director of the Pentagon's effort to reduce IED casualties, has acknowledged that sending more troops to Afghanistan will likely mean more IED deaths and injuries, which include spinal cord damage, traumatic brain injuries, and amputations.

So I urge the administration to move in a new and a different direction for the sake of our country and for the sake of America's troops and their families. And I urge every Member of the House to listen to the words of Matthew Hoh, who wrote the following to a State Department official:

''I trust you understand the sacrifices made by so many thousands of military families whose homes bear the fractures, upheavals, and scars of multiple deployments. Thousands of our men and women have returned home with wounds, some that will never heal. The dead return only in bodily form to be received by families who must be assured that their dead have sacrificed for a purpose worthy of futures lost.''

Madam Speaker, the casualty rate in Afghanistan is unacceptable. Continuing the same policies that put our brave troops at risk is unthinkable. That's why it's time to put SMART Security to work in a place where military power alone just isn't the answer.

THE TRIAL OF KHALID SHEIKH MOHAMMED

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. Madam Speaker, the 9/11 terrorist Khalid Sheikh Mohammed and four of his terrorist buddies are getting a trip to New York City to be tried in Federal court for their crimes against America.

Some of the other terrorists, however, are being tried in military courts. So why are we trying Mohammed in Federal court in the United States? Why aren't we treating them all alike, treating them all the same? Is it different strokes for different folks? It appears to be so. So why are these five special individuals being treated this way and brought to the United States for trial?

Military tribunals throughout history have always been used to try captured enemies on the battlefield. They have different rules and standards for evidence and interrogation, and the military courts make allowances for these basic differences. And tribunals

won't use classified intelligence material in open court.

The military courts and the prosecutors in the military courts have been preparing for 18 months to try these five terrorists in military court. Now all of that's over, and all of that paperwork now is going to be turned over to Federal prosecutors who know nothing about the case, and they will start over with their investigation.

Now, the way I figure it, it's been 8 years since 9/11 occurred. How long is it going to be before these people are tried? No one knows, because the government is now not prepared and they'll have to start getting prepared.

Military tribunals have always been created in a time of war. War criminals and people on the battlefield who are captured are tried there. And now we're making some exception, and the reason is we don't know. We don't know the reason why they're being tried in New York and why some of them, well, they're going to get their military trials. Maybe those are lower-ranked terrorists. Who knows. Nobody's talking in the Justice Department.

It does make a difference where a person is tried, whether he's tried in a Federal court or a military court, which has the jurisdiction. Let there be no mistake about it: these military courts have the jurisdiction to try these war criminals, but they are giving up their jurisdiction to the Justice Department.

For example, in 1993 in the World Trade Center bombing, prosecutors were required to turn over evidence to defense attorneys that included a large amount of intelligence secret information. Those intelligence documents were never supposed to be provided to anyone outside of the attorneys for each side. But guess what happened, Madam Speaker. Copies of those were later found in al Qaeda caves overseas. So much for secrecy.

We used to have Osama bin Laden's cell phone number, and we used it to track his movements and hundreds of calls he made back in 1998. It helped us to uncover members of the terrorist network prior to 9/11.

But during the Federal trial of four al Qaeda terrorists who blew up two American embassies in East Africa, the extent of our methods of intelligence of tracking the terrorists through using their cell phone numbers were disclosed. And not only were they disclosed; the phone records were made public to the whole world. So guess what. Terrorists quit using their cell phones and shut them off. Now they communicate with each other using different methods. This was the result of trials that took place in Federal court. The rules of evidence are different.

Doesn't anybody know we are at war and the rules of war ought to apply? And when we capture these people on the battlefield, when we capture these people who are at war with America, we ought to try them in military tribunals.

Our anti-terrorist operations depend on secrecy. It makes the job of the FBI and Homeland Security agents harder when the methods they use are publicized in open court. And it doesn't seem to me to make any sense why we would want to make all of the evidence that we have obtained against these five terrorists public record.

One more example: the 20th hijacker, Moussaoui, escaped the death penalty during his Federal trial, and here's the reason why: the court ruled the evidence of his participation in the 9/11 plot from his own computer was not admissible in a Federal courtroom. And without that evidence, the Feds had to settle for a life sentence. Thus he avoided the death penalty.

Much of the evidence against Khalid Sheikh Mohammed was gathered through interrogations, and now unless the interrogators read this individual his Miranda rights before water-boarding, it makes us wonder whether the evidence obtained against him lawfully under military rules will be admissible in Federal court.

Federal courts were never intended to deal with wartime situations; military courts have always been the reason. And now we're going to allow this individual to have center stage in New York City to be tried and maybe possibly convicted and become an international martyr on the international stage. It makes no sense. They ought to be sent back to Guantanamo.

And that's just the way it is.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 16, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 16, 2009, at 12:17 p.m.:

That the Senate passed S. 1422.

Appointments:

United States-China Economic Security Review Commission.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

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

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

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

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

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE REFORM

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

Mr. JONES. Madam Speaker, I submit for the RECORD an editorial by David Broder, Friday, November 13, and the title is ''Half Done on Health Reform.''

Madam Speaker, I'm reading from this editorial some points that I would like to share with the House tonight:

''At least a dozen health and budget experts have filled the Web and airwaves with warnings that the House bill simply postpones the cost controls needed to finance the vast expansion of insurance coverage and Medicare benefits envisaged by its sponsors.

''One of them speaks with special authority: David Walker, the former head of the Government Accountability Office, the auditing and investigating arm of Congress, told me in an interview on Wednesday that the lawmakers are 'punting on the tough choices rather than making sure they can deliver on the promises they're making.'

''In a speech delivered less than 48 hours after the House acted, Walker, now president of the Peter G. Peterson Foundation, laid out the tests that buttress his conclusion.

''Acknowledging that 'clearly we need radical reconstructive surgery to make our health care system effective, affordable, and sustainable', Walker cautioned that 'what we should not do is merely tack new programs onto a system that is fundamentally flawed and rapidly driving the national budget into ruin.' ''

I further read from the editorial: ''A separate Lewin Group study of the Finance Committee bill from which Majority Leader HARRY REID is working on in the Senate shows it is almost as much of a fiscal failure as the House bill.

''Walker, a close observer and former employee of Congress, calls that assumption 'totally unrealistic.' In reading his analysis and the comments of the many others who have appraised the House handiwork, it becomes clear that unless something intervenes, Congress is headed toward repeating a familiar pattern. Just as it did under Republican control in the George W. Bush years when it passed but did not pay for a Medicare prescription drug benefit, it is about to hand out the goodies

and leave it to the next generation to pick up the bill.''

Madam Speaker, before closing, as I always do on the floor because my heart aches for those who have given their lives in Afghanistan and Iraq and those who have been wounded, I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq. And I ask God to please bless the House and Senate, that we would do what is right in the eyes of God. And I ask God to give strength, wisdom, and courage to the President of the United States that he will do what is right in the eyes of God for this country.

I close three times by asking God please, God please, God please continue to bless America.

[From the Washington Post, Nov. 13, 2009]

HALF DONE ON HEALTH REFORM

(By David S. Broder)

While House Democrats spent the week congratulating themselves for squeezing out the midnight passage of their version of health-care reform, neutral observers were reminding them: You've left the job half done.

Having watched Hillary and Bill Clinton try and fail even to bring their version of health reform to a vote, I can certainly join in saluting Speaker Nancy Pelosi, her leadership team and the Obama White House for maneuvering the 1,990-page behemoth to harbor.

But, as many sympathetic voices have been telling them: Unless you find more realistic ways of paying for the promises included in the bill, you are simply setting up the public for more frustration—and yourselves for a political backlash.

At least a dozen health and budget experts have filled the Web and the airwaves with warnings that the House bill simply postpones the cost controls needed to finance the vast expansion of insurance coverage and Medicaid benefits envisaged by its sponsors.

One of them speaks with special authority: David Walker, the former head of the Government Accountability Office—the auditing and investigative arm of Congress—told me in an interview on Wednesday that the lawmakers are ''punting on the tough choices, rather than making sure they can deliver on the promises they're making.''

In a speech delivered less than 48 hours after the House acted, Walker, now president of the Peter G. Peterson Foundation, laid out the tests that buttress his conclusion.

Acknowledging that ''clearly, we need radical reconstructive surgery to make our health-care system effective, affordable and sustainable,'' Walker cautioned that ''what we should not do is merely tack new programs onto a system that is fundamentally flawed''—and rapidly driving the national budget into ruin.

He proposes a four-part test of fiscal responsibility for any health reform plan: ''First, the reform should pay for itself over 10 years. Second, it should not add to deficits beyond 10 years. Third, it should significantly reduce the tens of trillions of dollars in unfunded health promises that we already have. Fourth, it should bend down—not up—the total health-care cost curve as a percentage of'' gross domestic product.

An analysis by the Lewin Group shows that the Energy and Commerce Committee bill that was the basic blueprint for the House measure comes close to meeting the first of those tests and fails the other three, according to Walker, ''by a wide margin.''

A separate Lewin Group study of the Finance Committee bill from which Majority Leader Harry Reid is working on the Senate legislation shows it is almost as much of a fiscal failure. It fails the fourth test, falls short on the third, and passes the first two only by assuming that future Congresses will force reductions in reimbursements to doctors and hospitals that lawmakers in the past have refused to impose.

Walker, a close observer and former employee of Congress, calls that assumption ''totally unrealistic.''

In reading his analysis—and the comments of the many others who have appraised the House's handiwork—it becomes clear that unless something intervenes, Congress is headed toward repeating a familiar pattern. Just as it did under Republican control in the George W. Bush years, when it passed but did not pay for a Medicare prescription drug benefit, it is about to hand out the goodies and leave it to the next generation to pick up the bill.

The Senate could still reduce the damage. If it began to move away from the fee-for-service payment system that rewards doctors and hospitals on the quantity of procedures they perform, rather than on the results of the treatment, that would help. If it reduced the biggest single loophole in the revenue system—the tax-exempt status of employer-provided health benefits—that would help a lot.

Otherwise, while congratulating one another for an overdue piece of social legislation, lawmakers could end up condemning our children to a far worse financial future than they deserve.

A TRIBUTE TO LIEUTENANT CHARLES MAGGART

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

Mr. BURTON of Indiana. Madam Speaker, I rise tonight to pay the long overdue respects of a grateful Nation to First Lieutenant Charles L. Maggart from Marion, Indiana, who fell serving his country in the U.S. Army Air Force during World War II.

Charles Maggart was born in November of 1919 and attended Marion High School in Indiana, where he was an honor student as well as a football and basketball star. In fact, his outstanding athletic ability earned him scholarship offers in 1938 from both Indiana University and the University of New Mexico. Charles chose the University of New Mexico. However, with the clouds of war looming over Europe, Charles returned to Indiana to attend Marion College, today Indiana Wesleyan University, where he took flying lessons.

In April of 1941, Charles applied for and was accepted into the Army Air Force. Upon completing basic flight training at Parks Air College in St. Louis and Randolph Air Field in San Antonio, Texas, Charles was assigned to Ellington Field in Houston, Texas, for advanced flight training.

On December 12, 1941, just 5 days after the bombing of Pearl Harbor, Charles Maggart, until then a sergeant major of cadets, earned his pilot's wings and his lieutenant's bars. He also married his wife, then First Lieutenant Yolanda Federico. The next day he departed for Morrison Field, Florida, for assignment to the 49th Pursuit Group, Ninth Pursuit Squadron; but he was fairly quickly reassigned from fighters to bombers, ending up with the 405th Bombardment Squadron, 38th Bomb Group, Fifth Air Force 38th flying out of Australia.

□ 1945

The group shipped out from California for Australia in April of 1942. On December 5, 1942, Lieutenant Charles Maggart's war came to an end. Flying a B–25 bomber known as the ''Happy Legend,'' Lieutenant Maggart and his six-man crew set off to bomb Lae, a critical point along the northeastern coast of Papua, New Guinea. Lieutenant Maggart and his crew were shot down by the Japanese over the Owen Stanley Mountains. In January of 1943, Lieutenant Maggart's wife and family were informed by the War Department that he was missing in action.

Lieutenant Maggart's mother, waiting patiently, had reservations about his fate. After repeated letters to the War Department, in 1947 she was told that the aircraft and crew were never recovered and were probably lost at sea. It wasn't until 1949 that Lieutenant Maggart and his crew was officially declared killed in action. Although a team of Australians reportedly reached the crash site in 1943, the area was still overrun with Japanese units, and little could be done to document the remains of the aircraft and crew. Except for the determination of Charles' brother, Phil Maggart, and the families of the other crewmembers of the ''Happy Legend,'' that might be the end of the story.

Phil Maggart last saw his brother Charles in October of 1941, and for more than six decades, Phil has tried to find his brother and to bring him home. Working through government bureaucrats and private contacts even when he was serving with the U.S. Air Force around the world, including a tour of duty flying search-and-rescue missions in Vietnam, Phil never gave up asking questions, and ultimately he found answers. Thanks to the persistence of Phil Maggart, Lieutenant Charles Maggart has finally come home. And tomorrow, Tuesday, November 17, 2009, Lieutenant Charles Maggart and his crew will be interred together at Arlington National Cemetery, a fitting place of honor for true American heroes.

Madam Speaker, I respectfully ask that all of my colleagues join me in saluting Lieutenant Maggart and his valiant crew. God bless you, gentlemen, and thank you for your service to America.

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

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

100TH OCCASION OF THE THANKSGIVING DAY RACE IN CINCINNATI

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

Mrs. SCHMIDT. Madam Speaker, I rise today to recognize the 100th occasion of the Thanksgiving Day Race in Cincinnati. According to Runner's World magazine, the Thanksgiving Day Race is the sixth-oldest in the Nation. This annual holiday tradition started in 1908 on a course that ran from Fort Thomas Kentucky's gym to the YMCA in downtown Cincinnati. Today the course continues to incorporate much of downtown Cincinnati and northern Kentucky, beginning and ending at Paul Brown Stadium.

The growth of this race has been impressive. The inaugural race in 1908 consisted of 19 participants. Last year there were more than 11,000. To date, over 16,000 have registered for this year's Thanksgiving Day race, and registration doesn't even close until the race morning. According to Running USA, Cincinnati's Thanksgiving Day 10K race is one of our nation's 10 largest. Each year highly skilled athletes run alongside casual runners and seniors run alongside children. For many families the race is an important part of their holiday festivities. While the race is certainly popular, it would not be successful without the sponsorship and support of the local community. Hundreds of folks volunteer along the course aiding the runners. Local businesses and community organizations provide monetary support whose proceeds benefit many local charities, including the Ronald McDonald House and Girls on the Run.

Madam Speaker, I ask you to join me in celebrating the 100th Occasion of the Thanksgiving Day race in Cincinnati and wish this proud Cincinnati tradition continued success.

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.)

SUFFERING OF THE OPPRESSED PEOPLE OF CUBA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, the international press, including almost all the press in the United States, continues to ignore the suffering of the oppressed people of Cuba. Yes, there are exceptions, such as the National Review's Jay Nordlinger, the premier defender of human rights in the American press, or The Miami Herald's Juan Tamayo or Wilfredo Cancio, and occasionally there are other dignified exceptions. But the almost totality of the U.S. press systematically ignores what goes on in Cuba.

Despite 50 years of tyranny there, despite Cuba being 90 miles from our shores, despite hundreds of prisoners of conscience languishing in dungeons simply because of their peaceful advocacy for freedoms, including freedom of the press, which should not be denied to any people, and thousands of others imprisoned for crimes which are only illegal in the totalitarian fiefdom of a demented despot—crimes like ''dangerousness'' or ''illegally attempting to leave the country''—the press continues to ignore the reality of Cuba. Their irresponsibility in doing so is absolutely indefensible.

Jewish friends have told me that they understand what I'm talking about when I refer to the concept of the nonperson. For countless generations, for 1,800 years, Jews were subject to exile, to pogroms, persecution, discrimination. And their suffering was ignored in countries throughout the world. They were nonpersons. When their suffering was not ignored it was often minimized or ridiculed. Jews know that the recovery of their homeland, the establishment of their state in 1948 was absolutely necessary. That was the only way to guarantee the end of the nonperson status, to guarantee an end to pogroms, to discrimination, to persecution.

Cubans have been stateless nonpersons for over 51 years. Their suffering is systematically ignored. Their unity of purpose is continuously questioned or ridiculed. Even the torture of their heroes, of the heroic political prisoners, is ignored. Martha Beatriz Roque, a respected economist, leading Cuban dissident and former political prisoner who was only released from prison so that she would not die due to her many illnesses in prison and embarrass Castro, she is close to death in Havana due to complications arising from a hunger strike that she's engaged in.

Dozens of other brave dissidents are also on hunger strikes in the home of one of Cuba's other extremely respected pro-democracy leaders, Vladimiro Roca. Cubans, unlike the Jews, have not yet recovered their state. They will. But they haven't yet.

I ask the press, Madam Speaker, the media to please cease treating Cuba's pro-democracy activists as though they didn't exist. Stop treating Martha Beatriz Roque as a nonperson. Why do you continue to absolutely ignore Cuba's brave prisoners of conscience? Why don't you at least write about the elderly prisoners of conscience in Cuba, such as Hector Maseda Gutierrez or Arnaldo Ramos Lauzurique, or about the severely handicapped prisoners of conscience such as Miguel Galvan Gutierrez, or most especially about the gravely ill Cuban prisoners of conscience in the gulag such as Ariel Sigler or Normando Hernandez or Dr. Jose Luis Garcia Paneque, or Dr. Alfredo Pulido Lopez, or Pedro Arguelles Moran?

Members of the press, have you no conscience? Do not continue to treat the suffering oppressed people of Cuba and their heroes as nonpersons. Please, do your duty.

THE NEEDS OF AMERICAN WOMEN AND THE 111TH CONGRESS' RESPONSE TO THOSE NEEDS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. FUDGE. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend and to enter remarks into the RECORD on this topic.

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

There was no objection.

Ms. FUDGE. Madam Speaker, the Congressional Black Caucus is proud to offer this special order tonight which will focus on the needs of American women and the response of the 111th Congress to those needs.

The Congressional Black Caucus, the CBC, is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California. I am Representative MARCIA L. FUDGE from the 11th Congressional District of Ohio. Madam Speaker, we have been joined by our Chairwoman, the gentlelady from California, the Honorable BARBARA LEE. I now yield to our Chair.

Ms. LEE of California. Thank you very much, Madam Speaker. And let me thank again the Representative from Ohio, Congresswoman MARCIA FUDGE, for her leadership and for continuing to voice the concerns of so many who may or may not have a voice in this House. And I want to thank you for tonight's Special Order on the needs of American women, because in this economic downturn, where women still only make about 66 cents to the dollar, women again are feeling the brunt of these very, very desperate times. And so thank you again for continuing to keep our Congressional Black Caucus focused on addressing issues that don't always receive the attention that they deserve. Thank you, Congresswoman FUDGE.

So let me just talk very briefly about the issue of adolescent health and the challenges that many young women and girls face in accessing the tools and information they need to really just take care of themselves. For too

long now, our country has led with an abstinence-only policy when it comes to sex education for our young people. Unfortunately, for women, and women of color, and our young girls, that policy has led to an increase in teen pregnancies and in the rate of sexually transmitted infections.

Today, the rate of unintended teen pregnancies in the United States is much higher than most other developed nations. Each year, almost 750,000 women between the ages of 15 and 19 get pregnant. That's 750,000 women. And the vast majority of these pregnancies occur among women of color. The sad reality is that before they turn 20, 53 percent of young Latinas and 51 percent of young African American women will become pregnant at least once. The comparable rate among non-Hispanic white young women is 19 percent. That is just outrageous.

It doesn't end there, though. Each year there are about 19 million new cases of sexually transmitted infections, and almost half of them occur in young people ages 15 to 24. The CDC recently found that young sexually active teenage girls are especially at risk as nearly one in four is living with a common sexually transmitted infection. Among sexually active African American teenage girls, nearly one in two is living a sexually transmitted infection. When it comes to HIV and AIDS, the story gets a heck of a lot worse. African American women are nearly 15 times more likely to have HIV than white women, while Latinas are four times more likely to have HIV than white women. AIDS is also the leading cause of death among African American women between the ages of 24 and 34.

So, clearly, we're not doing our part to provide women and our young people with the tools that they need to protect themselves. That's why I've introduced H.R. 1551, the Responsible Education About Life Act. I call it let's get real, my REAL Act. This bill will create the first Federal funding stream dedicated to teaching our young people about comprehensive sex education. The statistics I just mentioned really warrant this type of a bill to be passed and signed into law. Our young people need to know how to protect themselves.

Yes, we need abstinence, and we need to teach our young people abstinence. But abstinence by itself does not work. We need an abstinence-plus approach that teaches about contraceptive use and condoms to prevent unplanned pregnancies and to reduce the spread of sexually transmitted infections. And so, once again, we have to look at some of the policies of the past and see exactly how devastating they have been in terms of the impact on our young women.

And I certainly say the abstinence-only policy, based on the statistics I just read you tonight, deserves to be dismantled and abandoned, and we need to allow states to use Federal funding, if they so desire, and if the states think that this is the strategy they want to use, and that is, allow Federal money to be distributed to the states to teach comprehensive sex education to our young people so that they can grow up, go to school, do whatever they want to do without worry of unintended pregnancies or HIV and AIDS or sexually transmitted infections.

So thank you, Congresswoman FUDGE, for allowing me to speak this evening on this very tough issue. Sometimes we try to sweep these issues under the rug. But I think when it comes to our young women, our young girls, we have to be for real, and we have to talk about what we can do to help them protect themselves. Thank you again.

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Ms. FUDGE. Madam Speaker, I just want to say to our Chair how appreciative I am that she has allowed me to anchor this hour for most of this year, and even though I may in fact be biased, I know that we have the most dedicated and hardworking Chair of any caucus in this House. So I thank you, and I thank you for being with me just about every week. I couldn't do it without you.

Madam Speaker, as well I have been joined by my good friend and colleague from the great State of New York, the gentlelady from New York, Yvette Clarke.

Ms. CLARKE. Madam Speaker, I would like to start this evening off in my address by thanking my esteemed colleague, the congresswoman from Ohio, MARCIA FUDGE, for giving me a moment to comment on women in small business. As the co-Chair of the Women's Caucus Task Force on Women and Education, Congresswoman FUDGE has constantly demonstrated her leadership on these crucial issues, and you are to be commended.

Ms. FUDGE. Thank you.

Ms. CLARKE. I am especially pleased to be speaking on these issues with you here this evening because of the timeliness of this conversation. Women entrepreneurs have come a long way in recent decades, but more must be done to support them, especially in this dire economic environment.

As the sole member of the Congressional Black Caucus on the Small Business Committee in the House—or the Senate, for that matter—I am constantly monitoring developments that affect women-owned small businesses, especially those in underserved areas. The impact of small businesses cannot be stated enough. We know the statistics, but it is worth going over it again.

Small businesses are the key to the health of the U.S. economy. They represent 99.7 percent of all employer firms; they employ about half of all private sector employees; pay nearly 45 percent of the U.S. private payroll; and are responsible for more than half of the non-farming private GDP.

Women-owned businesses are an important factor in this economic story. Recent studies show that there are close to 8 million individual women-owned small firms with a $3 trillion impact on our close to $14 trillion economy employing close to 23 million people. These are great numbers, but I for one believe that more must be done. Not only do I believe it, but the facts bear it out.

A recent study was released by the Federal Reserve Bank of New York entitled ''Gender and the Availability of Credit to Privately Held Firms.'' This report relied on data on privately held businesses drawn from the Federal Reserve's Surveys of Small Businesses Finances covering the period of 1987 through 2003. Authors of the report concluded that when compared to male-owned firms, women-owned firms are significantly smaller as measured by sales, assets, and employment; younger, as measured by age of the firm; more likely to be in retail, trade, or business services, and less likely to be in construction, secondary manufacturing, and wholesale trade industries; and are more inclined to have fewer and shorter banking relationships. Women owners are significantly younger and less experienced and tend to have less formal education than their male counterparts.

The report further found that women firms are significantly more likely to be credit-constrained because they are more likely to be discouraged from applying for credit, though not more likely to be denied credit when they do apply.

This report reflects the fact that women-owned businesses have made great strides in recent years but that challenges to growth, business model diversification, technical capabilities, and ability to access capital remain.

The bottom line is that women entrepreneurs need more support. I have long been an advocate for women-owned businesses, and it is vital that we improve existing programs and explore the need for new ones to narrow this achievement gap.

Most recently, I have been hard at work exploring possible solutions for women entrepreneurs. Last month, I introduced H.R. 3771, the Veteran, Minority, and Women-Owned Construction Business Mentorship and Grant Assistance Act of 2009. This legislation would establish grant programs for women-owned small business construction companies to help create the internal business systems that are essential for success. Funds would also be made available to local groups and schools to bolster technical assistance to these firms. This bill would create opportunities in the highly competitive construction sector at a time when there has been a stark decline in construction activity due to the housing downturn. This legislation is really about capacity building for small firms so they can better compete for the many stimulus opportunities that are still being developed and deployed.

Most of the total $787 billion in stimulus funds have yet to go out. Further,

most of the remaining funds are targeted to shovel-ready construction projects—projects that our women-owned businesses should and must participate in.

I'd like to take this opportunity to applaud the women builders in this country. So often, the image of the construction industry is a burly man in a hard hat. Well, I've got news for you, gentlemen. Women builders face great obstacles and challenges, and in my experience, meet and exceed them consistently in a highly competitive environment. Our Nation's extraordinary women builders will benefit from this legislation, and I'd like to thank my colleagues, including Congresswoman FUDGE, for supporting this bill. We have, as of today, 23 cosponsors for the legislation. The growing support for this legislation is proof that Washington is waking up to the prominent role that small businesses, including our women-owned businesses, must play in our recovery.

Finally, I have been tirelessly working to find ways to improve access to capital for women-owned businesses. It is no secret that our largest depository institutions are not lending as much as they could but are instead using the excess capital they have to provide capital buffers for their own balance sheet health, retarding any rebounds that could be fueled by small business lending.

I applaud President Obama for announcing that his administration will be seeking low-cost loans to smaller banks and community development financial institutions, known as CDFIs, as a means to address the small business lending gap. I am especially supportive of CDFIs as a means of getting credit to our smaller women-owned firms in underserved and economically distressed areas. For every dollar of CDFI investment, $15 of non-Federal dollars are leveraged to provide lending to deserving borrowers.

I will be studying how to improve programs like CDFIs to leverage government investment to help people help themselves.

Let us make no mistake, the last great frontier for women entrepreneurs—especially in our communities—will be consistent ability for them to access credit. I will fight tirelessly alongside my colleagues to make this a reality.

As I said earlier, these are but a few of the challenges faced by women-owned businesses. I am always paying attention to the issues affecting our women entrepreneurs and I will for as long as I am a Member of Congress. Much work is left to be done, but with the great leadership of people like Congresswoman FUDGE; the Chair of our CBC, Congresswoman BARBARA LEE; and our Speaker, Speaker NANCY PELOSI, I know we will get to where we need to be and beyond.

Ms. FUDGE. Thank you so much.

Madam Speaker, I'd like to thank my friend for coming this evening and thank her for her support of businesses and for her work on the Small Business Committee.

Thank you again. I hope that you will join me another time.

Ms. CLARKE. I look forward to it.

Ms. FUDGE. Thank you.

Madam Speaker, the CBC is composed of 42 members, including 4 committee Chairs, 15 subcommittee Chairs, and the majority whip. Our members promote the public welfare through legislation designed to meet the needs of millions of neglected citizens. CBC members are tireless advocates who work diligently to be the conscience of the Congress. We stand firm as the voice of the people and provide dedicated, focused service to our constituents.

Madam Speaker, we are proud to anchor this hour to discuss Congress' responsiveness to an important constituency group, American women. Let's first understand the current role of women in the legislative process.

Since 1917, when Representative Jeannette Rankin of Montana became the first woman to serve in Congress, a total of 260 women have served as U.S. Representatives or Senators. Currently, more women now serve in Congress than at any time in the Nation's history. In this year's Congress, there are 17 women serving in the United States Senate and 74 women serving in the United States House of Representatives. Of those Congresswomen currently serving in Congress, 14 are members of the CBC.

Since the first Congresswoman of color, Representative Patsy Mink of Hawaii, won election to the U.S. House of Representatives in 1964, a total of 39 women of color have served in the U.S. Congress. Roughly three quarters—or 30—of these women were elected after 1990, and a total of 38 have served in the House of Representatives, where Carol Moseley Braun of Illinois is the only woman of color to serve in the U.S. Senate, from 1993 to 1999. The first African American woman to serve in Congress was Shirley Chisholm of New York who won election in 1968. Twenty-five African American women have followed her.

There are some States who have never elected a woman to Congress. They are Delaware, Iowa, Mississippi, and Vermont. I look forward to having women from those States join us at some point, Madam Speaker.

There are a historic number of women currently serving in Congress, including the first woman Speaker of the House, NANCY PELOSI, who was elected Speaker in 2007. The 111th Congress understands that our Nation's laws must include and respond to all of our citizens, including women.

Women in the Workforce. We addressed that when we looked at Lilly Ledbetter. Congress began this year addressing gender-based pay discrimination. In January, Congress swiftly and decisively passed the Lilly Ledbetter Fair Pay Act. Just days later, President Obama signed the Lilly Ledbetter Fair Pay Act into law and restored an employee's right to challenge unlawful pay discrimination.

The Paycheck Fairness Act passed by the House on January 9 takes further steps to ensure that gender-based pay discrimination does not occur in the first place by closing the loopholes that have allowed employers to avoid responsibility for discriminatory pay. A comprehensive update to the 46-year-old Equal Pay Act, The Paycheck Fairness Act puts gender-based discrimination sanctions on equal footing with other forms of wage discrimination, such as race, disability, or age. It creates a new grant program to help strengthen the salary negotiation skills of girls and women. And it creates strong incentives for employers to equally compensate workers while strengthening correlating Federal enforcement efforts.

In 1963, President John F. Kennedy signed the Equal Pay Act into law. Progress has been slow during the 46 years since passage of the act. After four decades, American women continue to be unfairly compensated for their work. According to the National Organization for Women, when the Equal Pay Act was signed into law, women working full time and year round earned an average of 59 cents for every dollar earned by men; in 2007, women made 78 cents for every dollar earned by men; today, the gap has narrowed by less than a half a cent a year.

The impact of income disparity extends far beyond the individual woman. As such, equal pay is not just a women's issue, it is a family issue.

□ 2015

The current wage gap hurts everyone. It lowers family income for essentials such as groceries, doctor's visits, and child care. When women earn more, families benefit. Closing the wage gap is an integral part of strengthening American families and providing hope for a better future.

I stand in support of equal pay for all. I look forward to the day when all women receive equal pay for equal work.

The American Recovery and Reinvestment Act recognized the need to get our people back to work, and that includes women. During the current recession, from December 2007 until September 2009, roughly 2 million women lost their jobs, according to employers across this Nation. As of September, women represented 49.9 percent of all workers, excluding those in the Armed Forces and farmworkers.

The American Recovery and Reinvestment Act contains powerful provisions to retrain workers. The American Recovery and Reinvestment Act has made nearly $4 billion in new funding available through the Department of Labor for job training programs. Just under $3 billion of this funding has already gone out to States through formula grants under the Workforce Investment Act.

Speaking with Lori Atkins, the deputy director of workforce training in Cuyahoga County where I live, I learned the county will receive $14 million for training. The money will help dislocated adult and youth workers, including America's women. Another $750 million will be allocated through competitive grants to train people in green jobs and health care and other high-demand sectors. While women are underrepresented in many of these high-demand sectors, we can be retrained to compete for these jobs.

I am proud of community organizations that retrain women in nontraditional industries. Hard Hatted Women is one such organization. The nonprofit, located in Cleveland, Ohio, is launching a new program called Tradeswomen TOOLS. This program will link women to opportunities in high-wage, nontraditional fields using the expertise of women working on diversity initiatives in these fields. The goal is to link unemployed women with employment opportunities within the building trades in heavy highway construction, the energy and utility sector, the green building sector, and advanced manufacturing. Tradeswomen TOOLS provides orientation to nontraditional careers, industry specific workshops and presentations, individualized career counseling, one stop center for referrals, and math and physical fitness for the trades. The American Recovery and Reinvestment Act and organizations like Hard Hatted Women provide women the resources to get back to work.

Now I would like to talk a bit about women and education challenges. Madam Speaker, we must ensure that our girls graduate from high school in order to financially provide for themselves. According to the National Women's Law Center, an estimated 25 percent of female students do not graduate with a high school diploma in 4 years. Girls of color are particularly affected by this trend. Across the Nation, in 2004, 37 percent of Hispanics, 40 percent of black, and 50 percent of American Indian or Alaskan Native female students failed to graduate in 4 years.

While there are many factors that contribute to students dropping out of school, some are unique to girls. Those factors are: first, pregnancy and parenting responsibilities. According to a survey conducted by the Gates Foundation, 33 percent of female dropouts reported that becoming a parent played a major role in their decision to leave school. Specifically, students cited the lack of affordable day care for their children. While some high schools provide subsidized care for student parents, many do not. The school itself then becomes a determinant in whether the student remains in school.

In many schools where a certain number of absences result in students forfeiting a class, teen mothers need child-related absences not counted toward their total number of absences, and most could benefit from counseling in time management, parenting skills, and referrals to services for their children.

Poor attendance rates influenced by a high occurrence of sexual harassment by peers and educators is another reason why young women drop out of school. During the same Gates Foundation survey, 83 percent of girls were victims of sexual harassment in school. Suffering abuse at the hands of peers, teachers, and other school administrators, these girls reported that the abuse caused them not to want to attend school to avoid the teacher responsible for the harassment, to stop participating in the classroom, and to be distracted from their studies.

Unfortunately, when we fail to create a safe space in our schools, we undermine the success of all students, especially girls, their future families, and our Nation. According to the study ''When Girls Don't Graduate, We All Fail: A Call to Improve High School Graduation Rates for Girls,'' female dropouts earn significantly lower wages than male dropouts, are at a greater risk of unemployment, and are more likely to rely on public support programs. Female high school dropouts earn only about 63 cents for every $1 earned by male high school dropouts. Measured against the Federal poverty line, women without high school diplomas earn an average salary about 7 percent below the family poverty line for a family of three, $15,520 versus $16,600. Women with high school diplomas earn an average salary about 32 percent above the Federal poverty line, or $21,936 to $16,600.

Female dropouts struggle with worse health conditions and less access to health coverage to address their needs than girls who graduate from high school.

Women under the Affordable Health Care of America Act are among those who stand to gain the most from health insurance reform. Madam Speaker, we pay more, we get less, and some of the ways we are treated by insurance companies is just criminal.

Recently, I met Mrs. Jodie Miller of Maryland, a mother who conceived triplets through in vitro fertilization. Mrs. and Mr. Miller were later denied health coverage because their insurance company declared that they had preexisting conditions. She was denied because of her infertility. The insurance company denied Mr. Miller coverage due to what they deemed ''spousal infertility.'' America's Affordable Health Care Act will outlaw such discrimination based on preexisting conditions.

The Affordable Health Care for America Act would revolutionize health care for women, ending the discrimination we face under our current system. More than 14 million American women who have purchased health insurance in the private market last year paid up to 48 percent more in premium costs than men. Insurance companies routinely practice what they call gender rating, and that permits them to charge men and women different premiums for the very same coverage. The Affordable Health Care for America Act would make gender rating illegal. Never again will insurance companies be able to deny women coverage for C-sections because we are pregnant or because we are victims of domestic violence. Never again, Madam Speaker, will insurance companies be able to deny us coverage just for being women.

The House's health reform proposal would make health care affordable for all of America's women and protect us from high and potentially unimaginable out-of-pocket health care costs. We must and will improve health care for not only women, but for all Americans.

I want to talk about women of color and disproportionately being targeted for high-cost mortgages.

According to a report for the National Council of Negro Women researched by the National Community Reinvestment Coalition, African American and Latino women continue to receive disparate treatment in the mortgage lending process. The report, ''Assessing the Double Burden: Examining Racial and Gender Disparities in Mortgage Lending,'' demonstrates that minorities continue to be much more likely to receive high-cost home mortgage loans than their white counterparts. In many instances, disparities by race widened as income levels increased, indicating that discrimination remains a reality in home mortgage lending, as reports by the Federal Reserve and others have documented.

The foreclosure epidemic is, in part, rooted in the targeting of communities of color for high-cost loans. The report finds that minorities were first to experience disproportionately high rates of foreclosure. As the foreclosure crisis continued to spread to suburban areas, the study suggests that middle- and upper-income minorities will continue to experience a disproportionate impact, which is especially pronounced for African American women.

Dr. Avis Jones-DeWeever of the National Council of Negro Women commented that, ''Given the importance of homeownership to families and entire communities, it becomes clear that we simply cannot rest until every person, regardless of race or gender, is treated fairly at every stage of the mortgage lending process.''

The report examined data collected under the Home Mortgage Disclosure Act for the year 2007, which is the latest year for which data is publicly available, for 100 of the largest metropolitan areas in the country. Among the findings, middle- and upper-income African American females were at least twice as likely to receive high-cost loans as middle- and upper-income white females in more than 84 percent of the metropolitan areas examined.

Low- and moderate-income African American females were at least twice as likely to receive high-cost loans as

low- and moderate-income white females in 70 percent of the metropolitan areas examined.

Middle- and upper-income Hispanic females were at least twice as likely to receive high-cost loans as middle- and upper-income white females in almost 62 percent of the metropolitan areas examined, and low- and moderate-income Hispanic females were at least twice as likely as low- and moderate-income white females to receive high-cost loans in 32 percent of the metropolitan areas examined.

The foreclosure crisis has definitely affected my congressional district. The Center for Responsible Lending projected that more than 5,500 foreclosures will occur in my district in 2009, and more than 18,500 foreclosures will occur over the next 4 years.

The Mortgage Reform and Anti-Predatory Lending Act is to respond to the foreclosure crisis. In May, the House of Representatives passed the Predatory Mortgage Lending Practices Reduction Act of 2009. If the act passes the Senate, it will strengthen restrictions on compensation paid to mortgage lenders and brokers.

Today, some lenders deceptively pay brokers extra fees for loans if they write loans at a higher interest rate, even when lower rates are available to borrowers. The rates are unreasonable, and borrowers are often subsequently forced into foreclosure. Such arrangements are an indefensible conflict of interest and must be stopped.

A key element of the act prohibits lenders from underwriting unreasonable loans and prohibits practices that increase the risk of foreclosure.

The act supports lenders making 30-year, fixed rate, fully documented loans rather than the record number of unstable loans marketed today. It also provides greater protections for renters of foreclosed properties, like requiring a mandatory 90-day notice to vacate instead of the arbitrary practices currently being used.

The Mortgage Reform and Anti-Predatory Lending Act is crucial in curbing the predatory practices of the past. Mortgage lending reform is a vital piece of the congressional effort to prevent future financial disasters. Congress cannot, and will not, ignore the fact that lax regulation of this industry has left far too many consumers unprotected. I urge the Senate to pass this measure soon.

In response to the predatory practices of some mortgage brokers and agents, I introduced the Predatory Mortgage Lending Practices Reduction Act of 2009, H.R. 2108. The act is designed to assure consumers that mortgage brokers or agents are thoroughly trained and accountable for predatory practices. It does this by altering the law in three ways.

□ 2030

First, the act requires that brokers and agents issuing subprime loans undertake a rigorous certification program. Second, the legislation streamlines the process for filing complaints against unethical brokers and agents. And, finally, the act creates civil penalties for violations of Federal predatory lending laws.

Madam Speaker, there are honest and decent mortgage brokers and agents in this industry. Then there are a relatively few number of unscrupulous individuals who earn their commission through deception. The Predatory Mortgage Lending Practices Reduction Act of 2009 would help protect consumers from the latter class of lenders by ensuring that all related personnel are properly trained and held accountable.

Madam Speaker, further, I, on a regular basis, host housing clinics within my district. I do this in order to educate women about predatory lending, about housing scams and their rights under foreclosure.

In conclusion, Madam Speaker, I would quote from Susan B. Anthony who said it was ''we the people,'' not we the white male citizens, nor yet we the male citizens, but we the whole people who formed the union; men their rights and nothing more; women their rights and nothing less. By responding to the needs of all Americans, Congress will address the needs of all women as well.

REMEMBERING THE EVENTS OF NOVEMBER 5, 2009, AT FORT HOOD, TEXAS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. McCAUL) is recognized for 60 minutes as the designee of the minority leader.

Mr. McCAUL. Madam Speaker, tonight we rise during this leadership hour to remember the events of November 5, 2009, one of the largest attacks that was perpetrated at our U.S. military installation at Fort Hood, Texas, just north of my district, a very solemn occasion. Thirteen people were killed, over 30 people wounded, and an unborn child was killed that day. I went to the memorial service, thirteen pairs of combat boots put together with a rifle and a helmet on top, and the pictures of the victims who were killed in cold blood that day by a deranged gunman who, unfortunately, served in the United States military.

In my view, simply put, it was an act of treason. Look, in a time of war, soldiers are killed. But when I visited Fort Hood for the memorial service, they said, Congressman, we never dreamed that they would be killed in our home. This is our home. This man killed his fellow comrades at our home. Very disturbing. And the words that he said as he pointblank shot them one by one, as 100 rounds went off from his semi-automatic pistol, 100 rounds into a crowd of defenseless soldiers and a few civilians, were ''Allahu Akbar, God is great.'' That's one of the most disturbing reports that we got from that tragic day.

Well, I submit that that is not our God. That's not the God of our Founding Fathers. As the President said so eloquently at the memorial service, no religion condones the killing of innocent people. No religion condones that kind of violence. And he went on to say that he will face his punishment here on Earth and in the next world. The President is right.

We went to Veterans Day services the following day and went all across our districts paying tribute to the great veterans, the men and women who have served this country with honor and distinction, to thank them for their service; but the whole day, one could not help but to stop and think about what had just occurred at Fort Hood, these tragic, tragic events. Mr. Hasan will pay for this tragic event. He will be brought to justice. And it is my sincere hope, as the President said, that he will be taken to the next world.

And I want to, at the beginning, pay tribute to the 13, the 13 who were killed in cold blood that day, who died while serving their country admirably and nobly: Private Francheska Velez, 21, of Chicago, Illinois; Lieutenant Colonel Juanita Warman, 55, from Maryland; Major Libardo Caraveo, 52, of Woodbridge, Virginia; Captain John Gaffney of San Diego, California; Captain Russell Seager, 41, of Racine, Wisconsin; Staff Sergeant Justin DeCrow, 32, of Plymouth, Indiana; Sergeant Amy Krueger, 29, of Kiel, Wisconsin; Specialist Jason Hunt, 22, of Tillman Oklahoma; Specialist Frederick Greene, 29, of Mountain City, Tennessee; Private 1st Class Aaron Nemelka, 19, of West Jordan, Utah; Private 1st Class, Michael Pearson, 22, of Bolingbroke, Illinois; Specialist Kham Xiong, of Saint Paul, Minnesota, just 23 years old; and, finally, Mr. Michael Cahill, 62, of Cameron, Texas, where he was a civilian employee.

Fort Hood has a special connotation for many of us in Texas. It's the largest military installation in the world. The fact that it was attacked, the fact that these soldiers were killed at home, in my view, is the greatest act of treason and the greatest tragedy of November 5.

But there were heroes that day. There were many heroes that day. Sergeant Kim Munley, the civilian cop employed by the base, described by fellow officers as a tough cookie, pretty much fearless, born and bred to be a police officer, and a very good shot. She was nicknamed ''Mighty Mouse'' because of her size long before the Fort Hood shooting. Three minutes after Mr. Hasan began shooting, Munley tracked him down outside of the predeployment facility and unloaded on him at close range. Munley was hit in both legs and a wrist during the gun battle, but stayed on her feet bravely

and kept firing at the charging gunman. Hasan was eventually apprehended by Sergeant Mark Todd, Sergeant Mark Todd of the Killeen Police Department, who arrived shortly after the scene, and finally brought this man who perpetrated this great act of treason on his fellow officers, his fellow soldiers, to bring him to justice.

I want to talk briefly about my good friend, Congressman JOHN CARTER. He represents Fort Hood. He introduced a bill of which I was proud to be an original cosponsor. And this bill will grant combatant status to those wounded and those families who lost loved ones. It will also allow military personnel to receive the Purple Heart. Civilians will receive the Secretary of Defense Medal of Freedom, and beneficiaries of all military personnel who lost their lives in this horrendous attack will receive the maximum life insurance benefit available. Just today it was announced by the Department of Defense that they will receive the full maximum amount of $100,000.

But let us focus on this man, Mr. Hasan, the gunman. When I was at Fort Hood for the ceremony and viewing the 18 combat boots with the rifles and the helmets on top, I looked at the wounded soldiers. I talked to them, who were actually shot by this man, as they saluted their comrades, their friends, at that memorial service, and I said, what did he say as he shot you in cold blood and killed 13 others? ''Allahu Akbar, God is great.''

When that news was reported to me and when I got that information firsthand by our soldiers serving in uniform, the hair went up on the back of my spine, the back of my head. I knew at that point that we weren't dealing with an ordinary person, obviously a deranged man. Yet this man was on a mission, on a mission that he believed was from his God, a jihadist mission. It is a common terminology in the jihad world to say ''Allahu Akbar'' before you shoot and kill others. I think he fully expected to die that day. He gave away his material possessions. He was seen wearing Pakistani garb at the 7–11 that morning. He was preparing himself. He was premeditating the death of others and preparing himself for his own death.

This man was born of Jordanian immigrants. He was shot many times. He has survived. It is my sincere hope that we can get inside this man's head to answer the question, What was your intent, what was your motivation? Because there have been so many flags raised about this case. It was reported that he said his allegiance was not to the Constitution of the United States but rather to the Koran. He received poor performance reviews at Walter Reed because he was conflicted in the mission. He didn't believe in the mission. He didn't believe in the war on terror. He didn't believe in what we were doing in Iraq and Afghanistan.

ABC News reported just this evening that Hasan tried to get his bosses to prosecute some of his patients as war criminals, soldiers serving in the United States Army, to get them prosecuted as war criminals because they were killing his fellow Muslims. He regularly described the war on terrorism as a war against Islam. This is a man serving in the United States military counseling as a psychiatrist for PTSD soldiers coming out of that theater, a man who was transferred to the largest military installation, United States military installation, in the world.

And while studying for a master's degree in public health in 2007, Hasan used a presentation for environmental health class to argue that Muslims were being targeted by U.S. anti-terror campaigns. A former classmate said he was very vocal about the war, very upfront about being a Muslim first and an American second. He was always concerned that Muslims in the military were being persecuted, a self-proclaimed soldier of Allah on his own business cards. A man who wore traditional Pakistani garb, a man who attended the mosque in Falls Church, Virginia, with the imam who also preached to two of the hijackers from 9/11, a man convicted of providing material support to al Qaeda and conspiring to assassinate President Bush.

Then we found out that the Joint Terrorism Task Force got information that Mr. Hasan, 6 months ago, was contacting this imam in Yemen. We don't know what those communications were. But why in the world would a major in the United States military, at one of the greatest bases in the world, be talking to an al Qaeda recruiter in Yemen? And yet this information was not shared with Fort Hood.

That is why we are asking for hearings. But this President has said, No, Congress, you will not have hearings on this matter. We need to deal with this issue. Well, I'm not going to stand back and watch this matter being swept under the rug and not allow the American people access to the truth. And the last time I checked, under the Constitution, the Congress is a separate branch of government and the Congress has the power under the Constitution to exercise that oversight authority, and Congress should do that. Congress needs to have hearings in this case.

And we will continue the drumbeat until the truth comes out on this man, Mr. Hasan, and who he was talking to before this happened, and his friend, the imam, who the day of the shootings congratulated him for what he did, congratulated him for killing 13 American soldiers.

□ 2045

With that, I would love to yield to my good friend from Indiana, Mr. BURTON.

Mr. BURTON of Indiana. First of all, let me say thank you for taking this Special Order tonight.

You know, this should never have happened. There are 13 Americans that are dead, their families are suffering tonight, and it need not have happened. This man issued so many warning signs, it wasn't even funny. And, for some reason, his superiors did not investigate this man, call him on the carpet and find out why he was talking about these acts of violence and anti-American sentiments, and because they didn't, and they decided to unload him and send him down to Fort Hood, all those people are suffering—the families—and those people are dead that you alluded to just a few minutes ago.

This is not just an issue about this man committing these terrible atrocities, this terrorist attack. This is about making sure that the people in positions of leadership in the military and in other areas of our government are made aware when people start talking like he did and advocating terrorist attacks on the United States of America.

Now I understand that people are very concerned about the religious attitude that people have and trampling on their rights as far as their religious beliefs are concerned. But when you're talking about a war on terror—terrorist attacks where they kill almost 3,000 people at the World Trade Center, they blew up embassies over in Africa, they attacked the USS Cole and killed a bunch of Navy personnel—when we know they do that, and that's their goal, to destroy America, these fanatics, then, by golly, when we have somebody in the military or anyplace else in government that's talking like that, they need to be investigated and they need to be removed from a position where they can perpetrate those terrorist attacks.

And this is a tragedy not just because those young people gave their lives down there unnecessarily because of this terrorist, but because the superiors of his did not do their duty in responding to this man and reporting on what he was talking about prior to this thing taking place. If they had stood up and said, This guy's a threat to his fellow soldiers, we might have been able to avoid this.

And so I'd just like to say to my colleague once again, I'm very happy that you have taken this Special Order. I hope you will add me, along with our colleague from Texas, to this bill. I'd like to be a cosponsor. And I just say to any of the military personnel and leadership over at the Pentagon or the people at any of our military bases, if you hear anybody talking like this man did, advocating a terrorist attack on America, then, by golly, tell the people of this country about it and tell your superiors and get them out of there.

Not only should they be removed from the service; they should be watched so they don't perpetrate a terrorist attack once they're removed from the service. But they certainly should not be in a position of leadership in any branch of the service in any part of this country.

We're in a war against terrorism, and we need to make sure that we are vigilant. Thomas Jefferson said, The price of freedom is eternal vigilance. And we need to be that way right now, because this is not something that's just going to go away because we don't want it to happen. We are in a war against people that want to destroy America, want to destroy our way of life and force upon the rest of the world their religious fanatic beliefs. And we can't allow that to happen and go unchallenged.

We have an awful lot of people in all religions that would cringe at thinking that that person was in their church or in their synagogue or in their mosque and shared some of their beliefs, because it casts a pall over every one of them. It makes every one of them feel like they share in this terrible tragedy that took place, this act of terrorism. And it's unfortunate because there are a lot of people that believe in the Muslim faith that are just horrified that this happened and because of the way that they're looked upon in this country.

And so if we're talking tonight not just about people in the military, but if we're talking to people in mosques around this country, who love this country, they should tell the authorities if there's somebody that's acting like that—that threatens the security of this country and threatens the possibility of a terrorist attack in any part of our society.

With that, let me just say to my colleague once again, thank you very much for taking this Special Order. I really appreciate it. I'm sure people across this country share your views. And I yield back.

Mr. MCCAUL. I thank the gentleman from Indiana and your great comments. And you're a true patriot to this country. I mean that very heartfelt.

We've gotten so wrapped up in this political correctness, we're prohibited from calling this the war on terror. That's been taken out of the vernacular. And you wonder how a man like this could be transferred and then promoted. And with all the flags and contacts with al Qaeda recruiters, how did this happen? Why wasn't that information shared? Why, when these flags went up, weren't we able to act upon it?

We know for years that al Qaeda has been targeting bases both in the United States and abroad. It's a homeland security threat, it's a national security threat abroad. They tried to do that with Fort Dix, and we stopped it with good intelligence. They tried to do it with other military installations in the United States.

So when this evidence got out there, the real question I think we in the Congress need to ask is: Why didn't his superiors know about this? Or, when his colleagues heard the ranting and raving by him, having a business card saying he is a soldier of Allah, saying that his loyalty is first and foremost to the Koran, not the Constitution.

And the gentleman from Indiana is right. I worked in the Justice Department, a Federal prosecutor at the Joint Terrorism Task Forces. The National Intelligence Estimate says the most effective weapon we have is a moderate Muslim—the Muslim who will come forward and help us in the mosque to say there is an individual out here that we believe to be a threat to the security of the United States. Obviously, this man was. But, for whatever reason, nothing was done about it, and 13 soldiers are dead and 30 more are wounded.

We in the Congress have a role, an oversight role to get to the answers, to fix the problem, to make sure it didn't happen. The whole point after 9/11 was to make sure that we shared intelligence and information to better protect the American people. And I see no greater homeland security issue than protecting our bases right here in the United States.

As I said at the outset, when I visited the soldiers at Fort Hood for the memorial service, they say, Congressman, we see this in Iraq and Afghanistan, but we don't expect that to happen at home. Not in our home. Not on our base. This was not supposed to happen. And the question is: Is this man—did he infiltrate or was he a ''lone wolf'' acting on his own without any outside influence?

We don't know the answer to those questions. We have been told that from the very day after this occurred that he was a lone wolf acting on his own. There's a term ''rush to judgment.'' In my view, I think that was a rush to judgment, the idea that he was acting as a lone wolf before we got all the evidence in front of us.

All we are asking in the Congress is that we review the matter. I have great hope that the majority will work with us in a bipartisan way to provide that oversight that this body, this distinguished body, by the Constitution has the authority to: To get to the real answers for the American people as to whether this man had radicalized on his own, which he clearly did—he radicalized—or whether he is being facilitated by people on the outside, and whether al Qaeda had something to do with this. Because they got a playbook, and they go back to the playbook.

They had the World Trade Center bomber. They went back to the World Trade Center. They tried to hit the Capitol. That's their playbook. They will, in my view, try to hit the Capitol again. Chemical explosives. Ramzi Yousef, when he was arrested in Islamabad, a very chilling story. He had multiple baby dolls that he had stuffed with chemical explosives. He was going to take those baby dolls onto airplanes, known as the Bojinka Plot, and blow up 12 commercial airliners simultaneously. They go back to that playbook. We've seen chemical explosives come up over and over again.

Military installations are in their playbook. And we need to take the protection of our military installations both here in the United States and abroad very, very seriously. And when a man like this gets in and gets promoted and perpetrates what he did, one of the greatest acts of violence on a military base since Pearl Harbor, then we need the answers to these questions.

There are so many flags in this case. Not only this individual, but what was he doing with Pakistan. What influence did Pakistan have on this individual. The American people need to know the truth. We need to know it not as a ''gotcha'' exercise, but as a way to look forward and say, How can we better protect the American people from individuals like this and our soldiers from people like this? How can we better protect bases here in the United States?

We know he contacted many radical Web sites, posted very radical thoughts on these Web sites. It's time for us to stand up and have hearings on this matter and answer these fundamental questions.

Tonight, to the families of the victims, our heart goes out. We hear the cries. As we saw the 13 combat boots, the rifle, and the helmet portrayed in that picture, it was one of the saddest days and darkest chapters, I think, in American history. As we go forward, I believe we need to get the answers to these many, many questions that are out there.

Probably the hardest thing we have to do as Members of Congress is to comfort families who have lost their loved ones. I will never forget that day at Fort Hood at the memorial service, talking to the survivors, particularly some of the spouses who lost their husbands that day, to the mothers, fathers, and brothers and sisters; talking to the wounded victims who were shot by this man.

As we comfort these families, as we have with soldiers coming back from Iraq and Afghanistan and those who died, it is one of the most difficult things as Members of Congress, one of the most solemn responsibilities that we have. We know that words cannot give them back what they lost. We grieve their loss in the Congress. We stand by the families of the victims. With that, let me say God bless them.

I know we have another colleague from Texas who I know is here. When he is ready to speak, I'd like to yield to my good friend from Texas. Then I will reclaim my time and yield to the gentleman from Indiana.

Mr. BURTON of Indiana. I just hope that all of our colleagues who are in their offices tonight or may be watching this Special Order on television will join with you and the other sponsor of the bill from Texas, our colleague, and push as hard as possible for hearings here in the Congress of the United States.

We have in this body subpoena authority. The only thing that can't be brought before a committee is something that's top secret, classified, and

if that is not the case, then we have the authority to subpoena documents and evidence to bring this issue before the Congress, a number of committees here.

I think it's important that people like you and all of our colleagues ask the White House to relent and let us have these hearings, which I think are extremely important, because the American people want to know about this, because everybody is concerned about the terrorist threat that we face in this country.

So the President can't claim executive privilege. If he does that, then of course they can block us from having a hearing. But even if he does that, they have to prove that there's a reason for executive privilege. And we have subpoena power here in the Congress of the United States. And so the committee chairmen, chairmen of these various committees, if it isn't something that's top secret or highly classified, they can subpoena this information and bring it before the Congress.

I hope that you and the rest of our colleagues will do everything possible—I know you will—everything possible to make sure the American people know everything that happened and everything that led up to this tragedy.

Once again, thank you very, very much for taking this Special Order.

□ 2100

Mr. MCCAUL. I thank the gentleman from Indiana.

Again, reclaiming my time, I think I speak for most Americans, we do not want to see this thing swept under the rug. We don't want to see the rush to judgment that it was the act of one man—and perhaps it was—but the American people need to know the truth, and they need to know who he was talking to. And when the reporting came out that he was talking to the top al Qaeda recruiter in Yemen by emails and that there were communications in Pakistan, that raises big flags in this case. We cannot ignore that.

It is our constitutional duty to ask the tough questions to get to the bottom of this case so that the American people, through their representatives, can find out what really happened that tragic day on November 5. And if we don't do that, and if the majority does not want to do that and bows to the President and his request, I think we are being derelict in our responsibilities.

Again, this is a man who places allegiance more to the Koran than the Constitution, in his own words. ''Son of Allah'' on his business cards, dressed in the Pakistan garb, classic of the suicide bomber techniques to will your possessions away, wear the dress the morning of. I think he fully expected not to survive the incident. He did. And the best evidence we have is inside his head.

Of course the first thing he did was ask for an attorney, and he is not speaking. That is the same thing Khalid Sheikh Mohammed asked for. When he first got arrested, Khalid Sheikh Mohammed asked for two things: I want a lawyer, and I want to be taken to New York City. And unfortunately, Khalid Sheikh Mohammed got his wish that day because Khalid Sheikh Mohammed is going to be brought to New York now under the President's new guidelines.

I think getting to the bigger picture of all this, as we've taken ''war on terror'' out of the vernacular, we are moving back to this Clinton era where these terrorists are treated not as enemies of war but as criminal defendants. We are in a war, like it or not. We are in a war. We need to treat these people who mean to do us harm as enemies of war. The military tribunals are the best way to prosecute. We are going to bring Mr. Khalid Sheikh Mohammed into the United States to the very city where 3,000 people were killed at his hands.

I was a Federal prosecutor. The Southern District of New York is one of the finest U.S. Attorney's offices and is probably best equipped to handle that prosecution, but the Federal rules of evidence are very different from the military tribunals. It's going to withhold evidence from trial. It will not protect classified information. It will turn to a showcase. And as in the case of Moussaoui, whose computer records were ruled inadmissible, he got life imprisonment. Ramsey Yousef, the perpetrator of the '93 World Trade Center got life imprisonment. Khalid Sheikh Mohammed deserves the death penalty. It was an act of war.

Now, I don't know if the administration is saying, you know, basically that the war on terror is over, it's over so let's just go ahead and bring these people in and treat them like criminal defendants, but I think they are making a serious mistake, not only compromising the prosecutions of these terrorists but bringing them into a city that has been a target for quite some time. It's only going to heighten the state of alertness in New York City and become a mecca for jihadists around the world to come to New York to see the spectacle of a show trial. They ought to be tried in Guantanamo. Guantanamo never should have been closed or the order should never have been sent out to close it, and a military tribunal is best equipped to prosecute these individuals.

Just let me say in closing, we've been dealing with the health care legislation. It is very important for the Nation, but we were struck by a heavy blow last week, November 5, at Fort Hood. We never expected it to be one of our own. We never expected an act of treason on that level, killing 13 soldiers and wounding 30 others, firing off 100 rounds, yelling out ''Allahu Akbar,'' talking to known al Qaeda operatives in Yemen and possibly Pakistan. There are too many questions in this case, too many red flags, and the American people deserve the answer. We in the Congress—and I know my good friend from Indiana stands with me—we're not going to sit back and follow the orders of this President to stand down and not exercise our constitutional responsibility.

There is a separation of branches of government under the Constitution for a good reason. The executive branch can't sweep things under the rug. The American people, through their representatives, need to find out what really happened. The American people deserve the truth in this case. They deserve hearings, a full investigation and the truth to come out.

I commend our great fighting men and women. I have had so many constituents who have gone through Fort Hood on their missions to Iraq and Afghanistan. They were serving very bravely and nobly in a very, very important struggle between radical Islam and freedom, between the jihadists and democracy. We will eventually win that struggle. We pray for the victims' families, and we pray that God holds their loved ones in the palms of his hands.

GIVING TERRORISTS A TRIAL BY JURY IN NEW YORK CITY

The SPEAKER pro tempore (Mr. SCHRADER). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

I want to follow up on what my colleague from Texas was talking about, as the ranking member on the Homeland Security Subcommittee on Terrorism. And actually, I'm the ranking Republican member on the Crime, Terrorism, and Homeland Security Subcommittee under the Judiciary, so we have some overlapping space there.

I know my friends, the gentleman from Indiana (Mr. BURTON) and the gentleman from Texas (Mr. MCCAUL), in their hearts are very much concerned about the safety and the well-being of this country. This is some serious stuff that's going on here when the President of the United States says that we need to bring at least some of the most feared terrorists in the world into the most densely populated area in America.

Now, having been a judge and a chief justice, having had to work out logistics for major trials that had a lot of publicity, nothing, nothing like this trial will be—I understand perhaps some of the ramifications that our fine President, with his experience in community organizing, may not quite understand. You can't bring terrorists—and the reason I say ''terrorists'' instead of ''alleged terrorists'' is because they've admitted it. You can't bring them to the most densely populated area in our country and not expect there to be terror to follow. I mean, I've tried felony cases, death penalty

cases, and I know there are other friends here in Congress that have also. Death threats arise in those types of cases. I had them. I didn't worry about them when it was me. I worried about them when it was my family, and that happens.

If you think about the consequences logistically of bringing admitted terrorists to the most densely populated area in America, New York City, where they've already struck at least twice. They tried to blow up the World Trade Center. It didn't work the first time. They did some damage, but nothing like the second time, and we're going to bring them right back. We know, thank God, that most Muslims are not jihadists like you find here with Khalid Sheikh Mohammed.

But when you read the six-page pleading that Khalid Sheikh Mohammed, the guy that they want to bring to New York for trial, said in his own pleading—and as I understand it, he did his own interpretation to English. He would make statements, and he would back them up by a reference and a quote in English from the Koran. He says, ''We ask to be near to God''—this Khalid Sheikh Mohammed, who our President is inviting to come to New York City. ''We fight you and destroy you and terrorize you.'' Khalid Sheikh Mohammed said this in his pleading. And it wasn't just for him. It was on behalf of the other four defendants in this case.

But he says, ''The jihad in God's cause is a great duty in our religion. We have news for you. The news is you will be greatly defeated in Afghanistan and Iraq, and America will fall politically, militarily, and economically. Your end is near, and your fall will be just as the fall of the towers on the blessed 9/11 day. We will raise from the ruins, God willing. We will leave this imprisonment with our noses raised high in dignity as the lion emerges from his den. We shall pass over the blades of the sword into the gates of heaven. We ask from God to accept our contributions to the great attack, the great attack on America, and to place our 19 martyred brethren among the highest peaks in paradise.'' Now, this is the guy we want to bring to New York.

Now, having logistically set up major cases for trial, I can tell you that you have jailers who are going to be responsible for these people in jail 24 hours a day. Those shifts change constantly. You will have to be very attentive not only to every single jailer, but to every single jailer's family, because these forces will look for weak links in the jailer and the jailer's family.

You will have bailiffs in the courts who will also be responsible for their safekeeping and security. The bailiffs and their families will have to be viewed as potential weak links to be utilized by the terrorists.

You'll have to think about the clerks who may be marshaling evidence. They and their families will have to worry about being targets.

You will have to think about potential jurors. Even though the names supposedly would be kept secret, you have to worry about them and their families.

And the judge, his name will not be kept secret. The judge and his family will be open targets the rest of their lives.

This is scary stuff from a President who knows how to community organize better than any President we've had, but I don't believe he knows the organizational efforts and the weaknesses that will be brought out.

I would yield to my friend from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I appreciate the gentleman yielding.

I just want to say that I hope Americans are thinking through the various ramifications. I think you just made an excellent point. We are talking about trials of terrorists in civilian courts in the biggest city, or one of the biggest cities in the Nation.

You just made a brilliant point. What about the guards and their families, the court clerks and their families, the bailiffs and their families, and on and on and on, all of whom now will be exposed to perhaps pressure, kidnapping, threats.

But what about, how long will this take? Are these trials that can be concluded in weeks? No, I don't think so. You are a judge. Do you think these trials can be concluded in months? Or perhaps, as our colleague Mr. HOEKSTRA pointed out on Face the Nation yesterday, these are trials which, if the defense exploits them, as defense attorneys do in courts in America, could go on for months or years, ripping open the wounds of the people whose family members died in those attacks. Why? Why in God's name are we giving terrorists the protection of trials in American criminal justice courts? It is insane. It absolutely makes no sense.

I believe that we are exposing the people of New York, the people involved in these courts and the people involved in their security all for no reason whatsoever, and it won't just go on for a few days or a few weeks or a few months.

□ 2115

I would like to direct the attention of the listening audience to the points that were made in today's media. This is going to be a field day for al Qaeda to learn how America and the American system of intelligence gathers information, and they'll be able to drag it out in open public court rather than in a military tribunal.

Somebody explain to me—I wish somebody could explain to me—why terrorists deserve the protections of the U.S. Constitution as if they had broken civil laws while they're operating inside this country. Khalid Shiekh Mohammed was not in the United States when he planned this. This was not a simple murder. This was a terrorist attack by enemy combatants. We may not want to call it war. We may not want to call it a war on terror. We may not want to accept the fact that there are people who hate us, as the quote the gentleman from Texas just read demonstrates; but it's reality. And we ought to be dealing with it as a terrorist threat in the tribunals set up for terrorist threats and for war crimes and crimes committed in the process of combat.

There was no mistaking, absolutely no mistaking, what al Qaeda wanted to accomplish by these attacks, and they were not done for mere criminal purposes. They were done to terrorize a Nation. And we have lost sight of that, and I think this administration has lost sight of it. I think this Attorney General is making a grave, grave mistake. And the damage we have seen in the past when our intelligence community is injured because this kind of information is made public and we are no longer able to operate as an intelligence community protecting a Nation against foreign enemies should act, I think, is a risk which we should never be undertaking under these circumstances.

I thank the gentleman for yielding. I know his years on the bench as a trial judge watching criminal trials makes it painfully clear that that's a procedure designed to protect defendants accused by the Nation of crimes under the laws and statutes of this Nation. That's not what we are dealing with here, and I thank the gentleman for making that point.

Mr. GOHMERT. I appreciate Mr. SHADEGG making the point he does about why would we bring them to trial here in the United States, especially in New York City.

There are a lot of people that have never picked up the Constitution. We've got a little pocket Constitution here. But in article I it talks about the legislative powers. Over in section 8 it says that ''Congress shall have power to'' and you go down to ''constitute tribunals inferior to the Supreme Court.'' So President Bush made a mistake when he tried to create tribunals by the executive branch without getting Congress involved, and the Supreme Court rightfully struck that down and said you can't do that because article I, section 8 says this is something that Congress must do.

So then Congress did that. We had the Military Commissions Act of 2006, and this is the bill that's been slightly amended here this year, but it still says that, in section 948c, persons subject to military commissions: any alien unprivileged enemy belligerent is subject to trial by military commission as set forth in this chapter.

I am in the process of drafting this legislation right now that we will file this week that will say they must be tried in military commissions so we don't have an inexperienced President that doesn't realize the consequences of his actions.

Mr. MCCAUL. Will the gentleman yield?

Mr. GOHMERT. I yield to my friend Mr. MCCAUL.

Mr. MCCAUL. Are we not in a war on terror, in your view?

Mr. GOHMERT. Pardon?

Mr. MCCAUL. Are we not in a war on terror?

Mr. GOHMERT. Some people don't want to call it that and it may be unilateral at this point, but there is a war using terror going on and we either fight it, or we will be overwhelmed by it. So we should be in it, yes.

Mr. MCCAUL. My point is that that language has been taken out of the vernacular by this administration for whatever reason. We have our points as to why, but this is not being viewed as a war. What happened by the decision to bring in the mastermind of 9/11 to the very city where 3,000 Americans were murdered basically was a signal by this administration that the war on terror is over, that we are no longer going to treat terrorists as enemies of war; but, rather, we're going to go back to the Clinton administration years where we're going to treat them as criminal defendants, like Ramzi Yousef, the 1993 World Trade Center bomber, a criminal defendant. Not an act of war, but he is a criminal defendant.

By the way, Ramzi Yousef did not get the death penalty. And he went to talk to his Uncle Khalid Shiekh Mohammed about flying airplanes into buildings, and look what happened. Moussaoui did not get the death penalty because a lot of evidence was held to be inadmissible in a Federal court.

If they are true enemies of war, the best venue to try them is, as we did in World War II, by military tribunals. And the rules of evidence, as you know, Judge, I was a Federal prosecutor in the Justice Department, Southern District of New York, U.S. Attorney, one of the finest in the country. But the fact is you bring them on American soil, give them all rights under the Constitution, as my good friend from Arizona stated, why does Khalid Shiekh Mohammed get constitutional rights?

Mr. GOHMERT. Reclaiming my time, that is a very important point. Why does he get American citizens' rights? He has not been to America. He masterminded this. He was captured overseas in a foreign country. He's in Guantanamo right now, and the Constitution gives us in Congress the right to set up a military tribunal commission system, which we did.

But I want to come back and I'm going to keep injecting quotes from Khalid Shiekh Mohammed's own pleading himself. This is the guy who our President and Eric Holder, the Attorney General, want to bring to the most densely populated area in America. On page 4 he said, ''In God's book he ordered us to fight you everywhere we find you, even if you were inside the holiest of all holy cities, the Mosque in Mecca and the holy city of Mecca even during sacred months.'' He said, ''In God's book,'' verse 9, Al-Tawbah, ''then fight and slay the pagans wherever you find them and seize them and besiege them and lie in wait for them in each and every ambush.'' This is the guy they want to yield American citizens' rights to who will not be able to——

Mr. MCCAUL. If the gentleman would yield, what was the first thing that Khalid Shiekh Mohammed said when he was apprehended in Islamabad? It was two things.

Mr. GOHMERT. Take me to New York.

Mr. MCCAUL. One, I want an attorney, and, number two, Take me to New York. And you know what? President Obama and this administration gave him his wish.

I just want to end my comments by saying you and I have tried cases. This is going to be a circus, a show trial of the maximum. The motions to transfer venue, the motions to suppress the evidence, none of the information we got from Khalid Shiekh Mohammed using water-boarding, which has protected American lives, which, by the way, this administration wants to investigate and put those CIA and intelligence people in jail. The discovery alone, as the gentleman from Arizona stated, will keep this thing alive for years to come, will involve classified information that will not be properly protected as it would in the military court.

Finally, on the security issue, I think the gentleman from Texas is right: this will become a Mecca for the terrorists, not only to al Qaeda but homegrown, radicalized homegrown, whether Mr. Moussaoui is homegrown, radicalized, or not, people like him will come to New York to blow buildings up and to prey on the jury perhaps or the judges.

Mr. SHADEGG. If the gentleman will yield, I think it's fascinating that we all stand here, all three of us, with backgrounds in prosecution. The gentleman was a Federal prosecutor. I was in the Arizona Attorney General's Office for many years and involved in the prosecutions of a number of cases. You sat on the bench. All three of us come here instinctively tonight because we are so repulsed by the notion that American criminal courts intended to provide a plethora of rights to Americans accused of crimes inside this country are being afforded to someone who is clearly a terrorist, who clearly plotted from outside this country, who clearly plotted acts of war, and who said, as the gentleman just pointed out, as soon as he was apprehended outside the country, I want an attorney and I want to go to New York. And this administration is going to give him both of those wishes? That's an outrage.

I want to explore the point that my colleague Mr. GOHMERT made earlier. This is supposed to be a Nation of laws. Laws that anticipate that crimes committed by war criminals, enemy combatants, terrorists seeking to attack this Nation and all it stands for, they weren't seeking to attack a random group of people on an airplane or in a building. They wanted to attack this Nation. The law says how that should be dealt with. It's supposed to be dealt with when those terrorists, those war criminals are apprehended, as Khalid Shiekh Mohammed was. They are supposed to be tried in tribunals. You just read us the law.

How does Mr. Holder, how does President Obama get around the law? And do not the people of America have the right to demand that the law be followed and that these individuals be charged and tried in tribunals held by the military because they are war criminals? They are not civilians and they are not U.S. citizens and they are not afforded the protections of the criminal courts of the United States.

Mr. MCCAUL. If the gentleman would yield, this was clearly evident early in this administration under their global justice policy that no longer would apprehended terrorists captured on the battlefield be treated as enemies of war.

Mr. SHADEGG. So we're going to read them their Miranda rights? We're going to provide lawyers to them out on the battlefield?

Mr. MCCAUL. Precisely. And what came out in a shocking story that has not been told enough, in my view, was that FBI agents were there at the detention facilities reading them the Miranda rights. This is where this administration has shifted towards treating them as criminal defendants in Afghanistan, with full rights of the U.S. Constitution in Afghanistan. And I believe it is a sad day for America when we bring this mastermind of 9/11 to the very city where he killed 3,000 Americans.

Mr. GOHMERT. Reclaiming my time briefly, the gentleman from Arizona asked how do they get around the law. Under section 948h of the Military Commissions Act of 2006, it says the ''military commissions under this chapter may be convened by the Secretary of Defense or by any officer or official of the United States designated by the Secretary for that purpose.'' So the Secretary of the Defense serves at the pleasure of the President. And that ''may'' word allows them not to convene, which brings them to court.

Mr. SHADEGG. Will the gentleman yield?

Mr. GOHMERT. Yes.

Mr. SHADEGG. So the Secretary of Defense may choose, pressured by the President, not to convene a tribunal. How then does that give the President of the United States the right to bring them to the United States and to try them in a criminal court? Because they did not violate a civilian law of the United States. I submit they committed acts of war. Does he have the power to overrule the law and bring them here and say they are something they are not, say they are not terrorists when their conduct constituted an act of terror? Or is he simply then obligated to hold them if they don't conduct a military tribunal?

Mr. GOHMERT. The gentleman raises a very good question. The problem has been apparently that the Attorney General and the President don't want to charge them with what they've actually done, committed an act of war against this Nation. They want to charge them with a criminal violation and bring that to court. And if they do not charge them with the act of war that brought about the deaths of thousands of Americans, innocent Americans of all walks of life, if they don't want to charge them with the most heinous act of war against this country in our history, and charge them simply with a criminal violation, then they can bring them into the civilians courts.

Mr. SHADEGG. Let will the gentleman yield?

Mr. GOHMERT. Yes.

Mr. SHADEGG. Does that then raise the issue of whether their refusal to charge them with the conduct they, in fact, engaged in, which I would argue was clearly an act of war, clearly an act of terrorism against the Nation, if the officials charged with the duty of charging them with that conduct, acts of war against the United States, acts of terrorism against the United States, the Secretary of the Army, the Attorney General, or the President of the United States, are they not then derelict in their duty and are they not then subject to being either punished by the Congress or removed from office for failing to do their duty to charge Khalid Shiekh Mohammed with the conduct he engaged in, which was an act of war against the United States?

□ 2130

Mr. GOHMERT. Well, that's another good question. But as far as a—I think there is a breach of a fiduciary duty when you're more concerned about your image among foreign countries than you are with the safety of individuals in New York City, it would seem to be a breach of the fiduciary duty to protect Americans.

Mr. SHADEGG. If the gentleman will yield, I'll let him make his point.

Mr. GOHMERT. Well, let me inject one more comment by Khalid Sheikh Mohammed, because I'm going to keep on injecting his own words from his own pleading. We do not—this is Khalid Sheikh Mohammed—we do not possess your military might, not your nuclear weapons, not yet; nevertheless, we fight you with the Almighty God. So if our act of jihad and our fighting with you cause fear and terror, then many thanks to God, because it is Him that has thrown fear into your hearts which resulted in your infidelity, paganism and your statement that God had a son and your trinity beliefs. That's for Christians. He also says, in God's book, He ordered us to fight you everywhere we find you. Oh I've already read that one. But he quotes from the Koran and says, soon shall we cast terror into the hearts of the unbeliever for that they join companies with Allah for which he has sent no authority. Their place will be in the fire, and the evil is the home of the wrongdoers.

This is the guy we're going to bring to New York City. I yield to my friend.

Mr. MCCAUL. And you're going to bring him into New York. And Osama Bin Laden, in the late 1990s, declared war against the United States. He actually declared war against the United States.

Mr. SHADEGG. And if the gentleman would yield, and he took credit for this act, and said it was a part of that war against the United States. How in God's name could Khalid Sheikh Mohammed not be at least charged and tried with an act of terrorism against the United States which, under current law, if we are in fact a Nation of laws, must be tried in a military tribunal? This country, the American people, get it. They see that in the name of political correctness we are placing an imprimatur on these acts that they were not acts of war, and that is not what the American people believe. We will rue the day, we will as a Nation, rue the day that we treat our enemies as criminals and not as enemy combatants who commit war against us.

Mr. GOHMERT. Well, there is a key issue my friend raises. We treat them as criminals instead of as war terrorists and war criminals, because this won't just put New Yorkers at risk. It will not. It will put our soldiers at risk.

Mr. SHADEGG. Absolutely.

Mr. GOHMERT. I mean, having tried so many criminal cases, I can tell you, you know, the best thing they do is roll in, they've got photographers, they've got people with the rubber gloves, they take—the latex gloves—they take DNA evidence, they take fingerprints, they do all of this forensic analysis of the scene as my friends both know because they've used that evidence. Our soldiers cannot afford to bring out a forensic wagon in the middle of a battlefield to check for DNA, to check for fingerprints, to establish a chain of custody. And both of my friends know, if you don't have the chain of custody on a piece of evidence, it's not coming in. It's one of the reasons you don't charge war criminals as criminals in a civilian court because our soldiers should not be put in harm's way trying to gather that kind of forensic evidence.

Mr. SHADEGG. Every father and every mother and every sister and every brother of a soldier of this Nation needs to be scared because this undercuts our troops. This damages their morale. This undercuts their ability to do their job. This is a betrayal of America's fighting women and America's fighting men, and we need to stand up and we need to speak out and we need to say it's wrong. And it's not just unsafe for the people of New York. It's not just unsafe for the people of Illinois. It's not just unsafe for the people of Texas or Arizona. It is unsafe for every soldier we have engaged in combat. It is a betrayal of them in the name of political correctness.

Mr. MCCAUL. Political correctness. And when has the Constitution of the United States been applied to enemies who are captured on the battlefield outside of the United States? I don't think that's ever been done. I'm not sure if that has ever been done.

Mr. SHADEGG. I would doubt it has ever happened.

Mr. MCCAUL. And this administration again wants to take the vernacular war on terror, they want to just erase the last, you know, 4, 8 years. No, it was never a war. These are just criminal cases that need to be prosecuted and we need to treat them that way.

Mr. SHADEGG. I think the gentleman brings up a great point of history, and I want to add to it. Do you know that in World War II, enemy combatants caught in the United States, and there were some who came into the United States, came ashore or came to our coasts in submarines, then came ashore, could not, under international law, be held in American civilian prisons. The reason for that is they are not, as of that point in time, they're not criminals, and they have not been convicted, and therefore cannot be punished as prisoners in American jails or prisons are being punished.

And so we had to create camps where you could hold prisoners of war. As it turned out, we didn't adjudicate most of them. We released them upon the end of combat. In this case we are actually doing the opposite. We are not just saying that they're not enemy combatants engaged in acts of war and treating them separately and treating them as our colleague from Texas, Mr. GOHMERT, points out, through military tribunals. We're mixing them into the American criminal justice system, a system designed to preserve and protect the rights of the American people. It's insane. And the consequences will mean that, by extension, we have to go into the battlefield with evidence testing and with defense counsels and, as my colleague from Texas pointed out, the notion that we have to read them their rights. This is lunacy and a betrayal of our military.

Mr. MCCAUL. As the gentleman knows if he will yield, a criminal defense lawyer in a civilian court is going to use discovery at every opportunity to embarrass the United States of America and to blame America first for the acts of a terrorist, Khalid Sheikh Mohammed. And what concerns me the most is that they're going to make a mockery of our criminal justice system here in the United States and use it as a propaganda weapon in what I still refer to as this war on terror. This was one of the biggest mistakes this President has made. The decision to close Guantanamo Bay—I saw Khalid Sheikh Mohammed down in Guantanamo; it was one of the most chilling things I've ever seen, as he prayed, bowed over his prayer rug, to Mecca. We haven't broken his spirit.

And this administration again just granted him his wish. He gets his lawyer now, and he gets to come to New York City, just like his nephew, Ramsay Yusef did, who, by the way, did not get the death penalty. And as I close, as I move on, I sincerely hope that—this was a huge mistake—but I sincerely hope that this man is given the ultimate punishment so he can—not only here on earth but move on to the next world.

Mr. GOHMERT. And the gentleman makes a great point also, that he is not remorseful at all and, in fact, here he has been in prison, and this is filed this year, that Khalid Sheikh Mohammed says, and this is from his pleading that he himself prepared, so our religion is a religion of fear and terror to the enemies of God, the Jews, the Christians and pagans. With God willing, we are terrorists to the bone. So many thanks to God. He went on to say, and he quotes the Arab poet that stated, we will terrorize you as long as we live, with swords, fire and airplanes.

It's unbelievable that you would bring a guy like this into the United States of America, put our soldiers at risk for the future, forcing them to try to gather forensic evidence. While people are shooting at them they're going to have to be worried about fingerprints and DNA evidence and gee, did they have witnesses, getting witnesses' names and addresses, locations so they can come back and perhaps bring them to court in New York some day to testify. We just don't do this. We can't afford to do this when people are at war.

Our President, this administration may not realize we're at war, but there are people at war with us, and we fail to respond at our own risk. This is scary stuff. And we have the Military Commission Act of 2006. We're working on language that will make it a requirement so that it is not an option for the President. I mentioned article 1, section 8 that gives power to Congress to constitute tribunals inferior to the Supreme Court. As a constitutional law professor mentioned this weekend to me as I was visiting with him about this issue. He said, you know, the Supreme Court is really the only court in the country that has a right to exist under the Constitution. Every other court, tribunal, commission, only has their existence at the will of Congress.

And article 3 and section 1 makes that clear: The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. Going over, and it says, even the Supreme Court, it talks about all cases affecting ambassadors, other public ministers and consuls and those in which the State shall be party, the Supreme Court shall have original jurisdiction. In the other cases before mentioned the Supreme Court shall have appellate jurisdiction both as to law, in fact, with such exceptions and under such regulations as the Congress shall make.

We have an obligation in this Congress to rein in a President that is putting New York City, our soldiers, our military at risk, and we fail to do so at the risk of those we are elected to serve and protect from all enemies, foreign and domestic. I yield to my friend from Arizona.

Mr. SHADEGG. I appreciate the gentleman for yielding. I think it's important to note that from the outset there have been some in this body who have tried to stop this moment from occurring. I introduced legislation as soon as I heard that the President intended to bring detainees from Guantanamo Bay to the United States and to close Guantanamo Bay. I introduced legislation back last February to prohibit the President from bringing a single person who had ever been detained at Guantanamo Bay here to the United States. Mine was one of many bills introduced by Republican Members of Congress to try to stop this very point.

Mr. GOHMERT. If the gentleman would yield, that was a good bill he filed as well, and I appreciate the efforts in doing that.

Mr. SHADEGG. Our minority leader, Mr. BOEHNER, introduced a bill identical or very similar to mine. There have been other pieces of legislation. I just want to make it clear that I think that this is a grave error on so many fronts it's hard to explain. And it's worth maybe trying to lay out some of those points for anybody who'd just listen. Number one, I think the gentleman made a good point of this earlier. If you bring terrorists to the United States, there is, first and foremost, the danger that by merely being physically present in the United States, they will acquire rights that they do not have in Guantanamo Bay, that they do not have in Iraq, or that they did not have in Afghanistan.

Mr. GOHMERT. And I will add that no prisoner of war, no enemy combatant has ever had in the whole history of the world and of mankind.

Mr. SHADEGG. And why are we changing it? For some sense of political correctness, because we doubt ourselves, because we doubt that we were attacked, because we doubt the sincerity of the insane comments you've just read from Khalid Sheikh Mohammed about his intention to kill us, about his bragging, I believe, of beheading Daniel Pearl himself?

Those are shocking things. But that's just like the first of many reasons why this is a terrible policy. The gentleman did, I think, an excellent job earlier, that maybe the average American doesn't think about. But think of the risk that you are imposing upon not just the sworn police officers who will transport the combatants brought here, and the jailers that will jail them and the judges that will preside and the clerks that will be in the room or the bailiffs, but think of every single one of their family members, not just their children, their wives; what about their brothers, their sisters, their cousins, their aunts, all of whom now become targets of terrorism, because if I were a terrorist outside of United States and Khalid Sheikh Mohammed was going on trial in New York, I'd say, why don't I find the judge's cousin? Why don't I find the bailiff's sister? Why don't I find the jailer's brother? And I'll capture them and hold them for ransom until Khalid Sheikh Mohammed is released.

We are placing literally, a countless number of Americans, guards, bailiffs, clerks, judges, jury members, and all their families at risk to afford to avowed terrorists who say the insane hatred things that you just read? We are putting all of them at risk to afford to Khalid Sheikh Mohammed the rights that our Constitution reserves to Americans accused of, Americans simply accused of criminal acts in America? These were not criminal acts in America. This was an act of war.

□ 2145

As our colleague from Texas pointed out earlier, he made no mistake. When Osama bin Laden declared war against the United States, it was not, ''I plan to go rob the United States.'' It was not, ''I plan to go kidnap Americans in the United States and hold them for ransom.'' It was, ''I am declaring war against the United States.'' And here we sit compliant in this process because we want to be politically correct; we want to be perceived as fair.

What did we establish that was unfair about Guantanamo? Soldiers there have been given copies of the Koran. They've been given prayer mats. They are allowed time of prayer. We have spent $50 million or more in building and improving that facility.

This is the first time in the course of the history of this Nation that we have doubted ourselves so much as to say we can't deal with enemy combatants who launch a war against us as we have dealt with them throughout history; throughout World War I, World War II, Korea, Vietnam. The tradition, the standards, the equity, the justice of the American military tribunal process has been established. And now, for the sake of political correctness, because somebody is unhappy, maybe somebody who is not a friend of the United States, maybe somebody who is not an ally of the United States, maybe somebody who wants to destroy this Nation, says, ''We don't like your system,'' so we are going to put them into the American criminal justice system? It makes no sense.

If he had been born here, if he had been a domestic terrorist who had begun his activities here, maybe that could be debated, but that is not the case. Not born here, not a U.S. citizen, not here when the crimes were committed, plotted from overseas as an act of war under the command of Osama bin Laden—a man who had already declared war on the United States—and both of them part of an entity, al

Qaeda, an entity that, as an institution, declared war against the United States

We have to stand our ground. This is the time, America, to say enough is enough. We are not going to expose America's citizens—all of those judges, all of those clerks, all of those bailiffs, all of those jailers, all of those police officers who have to transport somebody. And it's easy for them to say, ''We are tough.'' I saw the mayor of New York say, ''We are tough. We can do it.''

Well, Mayor, how are you going to feel when it is your daughter that is kidnapped at school by a terrorist? How are you going to feel when it is some clerk, some innocent clerk of the court whose daughter or son is kidnapped or the judge's wife or the jailer's little brother or little sister?

This is political correctness run amok.

Mr. GOHMERT. Nothing illustrates my friend's point better than Khalid Sheikh Mohammed's own words on page 6 of his own pleadings where he says, ''We fight you and destroy you and terrorize you.'' He goes on to say, ''So we ask from God to accept our contributions to the great attack, the great attack on America.'' Those are not words of a conspiracy to commit a crime. Those are admissions of participation and an act of war.

I want to direct attention to New York City where I am sure the leaders like Khalid Sheikh Mohammed that are still loose are already planning. Think about the logistics in New York City. Well, you could provide a safe environment like we have in Guantanamo if you closed all of the tunnels, if you closed all of the bridges, if you closed the area around the court and the area around where these terrorists, these enemy combatants, are being held. You close that area off. Failure to do any of those opens the easy possibility of one car or several cars being filled with explosives and driving near an area and blowing up.

Now, you also have to stop the subways that are running underneath all of these areas. There is no easy way. There is just no way to safeguard the people of New York City.

And my friend brings up the kidnapping of family members of participants in the case, but then there is the also the problem of those who are threatened to be kidnapped.

Now, when you have a big trial, normally it's not uncommon to have bomb threats called in. How many bomb threats do you think will be called in during the course of this trial?

Mr. SHADEGG. If the gentleman will yield on that point, I guess in order to figure out how long you'd have to close the subways and how long you'd have to close the bridges and how many bomb threats will be called in during the course of the trial, you'd have to begin by saying, well, how long will the trial last? And that is a pretty interesting question.

In America, if we have a true criminal trial in a multiple murder case, those can last weeks, months, years. I don't know what the longest criminal trial in American history is, but I guarantee you, it is a lot more than a month or two. And then when you add appeals, I presume Khalid Sheikh Mohammed, as Eric Holder envisions and as Barack Obama envisions, is going to get to have appeals. Maybe he'll get to have interlocutory appeals of rulings by the judge which could deny him his now, I guess, constitutionally guaranteed rights, the rights we cherish as citizens of the United States which we've now decided to extend to an avowed terrorist.

I want to suggest that our colleague from Michigan (Mr. HOEKSTRA) was correct yesterday morning on Face the Nation when he pointed out that this could turn into a legal circus that goes on for not days, not weeks, not months, but years when you count Khalid Sheikh Mohammed and all of the others that I guess Eric Holder wants to bring here one after another and try in the courts of the United States as if they were criminals.

I am plagued by a question as I stand here. I cannot cite to you—and I challenge someone to let us know—what it is about the criminal—about the military tribunal process that is not adequate. Did Attorney General Holder announce that there was some flaw in the military tribunal process that could not be remedied? Did the American Civil Liberties Union, have they come forward and said there is a flaw in the tribunal process, because I didn't hear it. It was good enough for prisoners of war during World War I. It was good enough for prisoners of war during World War II. It was good enough, I presume, for prisoners of war in Korea and Vietnam. How is it now that it's not good enough? Why are we doing this?

Does the gentleman know?

Mr. GOHMERT. All I can think of is you have an administration that is willing to bow both personally and as a Nation before other nations, bowing our security, our safety in ways that have never been done before.

Mr. SHADEGG. Are those nations changing their military tribunal processes?

Mr. GOHMERT. There is no one who has ever granted an American citizen the kind of rights that are being afforded—and I am sure my friend has been to Guantanamo, as I have, and, in fact, as you get down there, they utilize brilliant legal minds in conjunction with wonderful engineering minds to create a terrific courtroom setting with security. There is a bulletproof glass between the gallery and where the trial will take place. There are areas where people can consult, defendants can consult with their attorneys and that are completely secure. They don't have to worry about privacy issues or being bugged because of the austerity of those facilities. It is very well thought out. It is very difficult to get there. You couldn't get an attack into that area. You couldn't have a terrorist activity take place that would threaten that facility, it was so well thought out.

Oh, and by the way, with regard to Guantanamo, my friend raised this. The prayer rugs, the arrows pointing which way to Mecca, the Korans that are provided in safekeeping—and as we know it was not a guard that tried to flush a Koran. That was not the case. But I asked our own Sam Johnson, who is in this body, who was a POW in Hanoi, if anybody provided him prayer books or prayer rugs or gave him a chance to pray.

Mr. SHADEGG. I think he liked the Bible, if I know Sam Johnson.

Mr. GOHMERT. Sam said there were no Bibles provided, but they did give them the chance to drop to their knees. They would put a rod across the floor where, when they were beat in the back and dropped to their knees, their knees would hit on the rod and then they were forced to stay with their knees on that rod. And he said, It may not sound like much, but over a period of hours, it becomes so excruciatingly painful that it's just unbearable and you hope and pray you will pass out. That is what has been afforded to Americans before. And we have seen what happened to Daniel Pearl.

They say, well, gee, they may treat ours more harshly if we don't bring them to a criminal trial in New York. How much more harshly do you treat somebody than cutting their heads off while they are gurgling and trying to beg for help? I don't think that is a problem.

We need to treat these people as the war criminals that they are, that they have admitted to be; otherwise, we put our Nation at great risk.

Mr. SHADEGG. I think the gentleman says it right. I appreciate the opportunity to be here on the floor and chat with him.

I happen to be from Arizona. I happen to be from the home State of JOHN MCCAIN. I happen to believe that there is, in fact, a duty to treat war criminals within the bounds of international law. I believe that they should not be beaten, they should not be tortured. I believe they should be afforded those standards that are accorded to those accused of war crimes through history. I personally believe they can be held without trial as long as the war goes on, and I believe this war is going on.

We, as a Nation, can be in denial as long as we want. We can cleanse from our vernacular every term that the administration finds offensive. Janet Napolitano can say we are no longer going to call it a war on terror. We are no longer going to deal with radical Islam or Islamists or jihadists. We are going to pretend that all goes away. In my life experience, you cannot pretend and, by pretending, change reality.

There are those who hate us. There are those around the world who hate

us. There are those like Khalid Sheikh Mohammed, whose works you just read, who despise us and who desire to kill us. If we do not deal with them fairly, but also according to law, then we've betrayed the tradition of this Nation.

Never ever, in the history of this Nation, have we taken war criminals, people who have committed acts of terrorism under the auspices of an organization—here, al Qaeda—led by a leader—here, Osama bin Laden—that has declared war formally and in writing against the United States and said somebody acting on behalf of that organization, having as an organization declared war against the United States, having engaged then in acts of war, shall be tried in American criminal courts designed to deal with criminals who commit common crimes against other citizens of this Nation. This is a betrayal of our soldiers, and it puts our Nation and puts our soldiers at grave risk.

I believe Attorney General Holder will rue the day they made this decision and rue the day when someone is captured or killed in New York or held hostage as a result of this irresponsible conduct. And even if that doesn't happen, it, alone, is a betrayal of the system we have followed since the founding of this Nation where those accused of war crimes are tried in military tribunals.

Mr. GOHMERT. I appreciate so much my friend's wonderful points.

We understand the President just recently, because of the lack of understanding of our military history and the Nation's history, is perhaps apparently the first President ever to fail to understand and believe that President Truman did the right thing in dropping the two bombs that they did.

And so if you are an apologist for America, you believe that consistently we have done the wrong things, you have never been really proud of America before, you don't know that the Japanese had committed to dig in and had planned to withstand an assault even to the death of every single Japanese person on the island of Japan.

□ 2200

If you don't know these facts, if you don't know the fact that perhaps millions of lives were saved by dropping those two bombs because it brought the war to an end rather than forcing the Japanese, as their leaders intended to do, to die to the last person to repel an invasion, then you would be an apologist, if you simply don't know the facts. But this puts us further at risk. We just simply cannot bow to this.

The answer will be when the American people respond and let the White House know and let the Department of Justice know. Burn up the phone lines. Let them know by constant calls. I'm not sure I would email this White House since they have shown what they do with the list. But at least burn up the phone lines letting them know that the Commander in Chief needs to act as a Commander in Chief, and not an apologist in chief and that we should not put our soldiers at further risk by requiring them to gather forensic evidence, that we should not put the people of New York at further risk, and to leave them at Guantanamo to be tried there.

People who understand about war understand that in the whole history of mankind, the precedent is if you as a group declare war on another nation and you or your fellow warriors are captured, then you are held until such time as your fellow group will cease the war, whether it takes years, a 100-year war, a 7-year war, whatever it takes until you convince your people to quit being at war with us, then we hold you until the war is over, and then bring you to trial. That's what the precedent normally is. Whether it's 4 years as World War II, whatever the length of time, we hold you until your people are no longer at war with us as a Nation.

In this case, if you want to rush them, bring them to trial, fine. Do it with a military commission set up under the Military Commissions Act of 2006. We are going to try to amend it so that the President has no choice, so that this President learns you do not have the choice to put New Yorkers at risk.

It breaks my heart to think about the families of those victims of 9/11 and what they will be subjected to. As a judge, I saw the faces of family members who struggled with the aspect of going through and reliving the trauma of the terrible crime that was committed against them. I saw those faces. I heard their great suffering. I'm afraid it's not going to be nearly what that will be collectively of a city the size of New York as they have to relive 9/11 on the island. They have to relive the possibility of further terrorist attacks.

Certainly terrorist attacks will be threatened during the course of the trial. And, of course, you would expect the defense attorneys to wait until Khalid Sheikh Mohammed and these other terrorists have actually put their feet on American soil so they will be granted all the rights of an American citizen such as they were trying to kill as many of as they could. You wait until their feet are on American soil, and then you file your motion to change venue, then you file your motion for discovery, then you file your motions to examine experts and drag those things out as long as you can.

I ended up being asked to take over a civil trial in Texas that several judges had worked on prior to me. It was outside my district. But every judge had been recused for one reason or another. It had gone on for 11 years. I was asked to take it over, and it had been a logistical nightmare. And I was deemed to have done an amazing job in wrapping the case up in 2 years when both parties said when I got into it that they wouldn't bring a case to trial for perhaps 5 years.

But even working as quickly as I did and being as forceful as I was as the judge, not taking any extensions, not granting any type of continuances, forcing everything as quickly as could be done, and yet legally, it still took 2 years to wrap that thing up. And that was considered amazing.

With what is at stake here, the City of New York should suffer no more. No more. I went to New York shortly after 9/11. I saw the suffering. We should not do that to New Yorkers again. My goodness, they have suffered enough.

Having spent 4 years in the Army, being familiar with the military justice system, it isn't a slam dunk for anybody under the UCMJ. There are rights afforded individuals who are tried under the UCMJ. But that is the appropriate place to try people like Khalid Sheikh Mohammed who says "We are terrorists to the bone. So many thanks to God." We can also be thankful to God that all Muslims, in fact, the vast majority, do not feel as Khalid Sheikh Mohammed.

This man does not need to set foot on American soil. We need to have a President that starts acting like a Commander in Chief, not an apologist in chief, so that we can keep America as safe as we have been for the last 8 years and not as the terror will be reintroduced by the reintroduction of these masterminds in America.

With that, Mr. Speaker, I realize my time is now expired, and I would conclude.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. GIFFORDS (at the request of Mr. HOYER) for today on account of illness.

Mr. HEINRICH (at the request of Mr. HOYER) for today.

Ms. KILPATRICK of Michigan (at the request of Mr. HOYER) for today on account of personal business.

Mr. SKELTON (at the request of Mr. HOYER) for today on account of a codel.

Mr. TANNER (at the request of Mr. HOYER) for today and November 17 on account of presiding over the NATO Parliamentary Assembly's Fall Plenary Session.

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. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. GRIFFITH, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, today, November 17, 18, 19 and 20.

Mr. JONES, for 5 minutes, today, November 17, 18, 19 and 20.

Mr. BURTON of Indiana, for 5 minutes, today, November 17, 18, 19 and 20.

Mr. INGLIS, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, November 18.

Mrs. SCHMIDT, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today, November 17, 18, 19 and 20.

Mr. LINCOLN DIAZ-BALART of Florida, for 5 minutes, today, November 17 and 18.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 806. An act to provide for the establishment, administration, and funding of Federal Executive Boards, and for other purposes; to the Committee on Oversight and Government Reform.

S. 1860. An act to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms; to the Committee on House Administration.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House, reports that on November 5, 2009 she presented to the President of the United States, for his approval, the following bill:

H.R. 3548. To amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 17, 2009, at 10:30 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4644. A letter from the Regulatory Analyst, Department of Agriculture, transmitting the Department's final rule — United States Standards for Rough Rice, Brown Rice for Processing, and Milled Rice (RIN: 0580-AA94) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4645. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Amendments to Mushroom Promotion, Research, and Consumer Information Order [Doc. No: AMS-FV-08-0047; FV-08-702-FR] (RIN: 0581-AC82) received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4646. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Onions Grown in South Texas; Change in Regulatory Period [Doc. No.: AMS-FV-09-0012; FV09-959-1 FIR] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4647. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida and Imported Grapefruit; Relaxation of Size Requirements for Grapefruit [Doc. No.: AMS-FV-09-0002; FV09-905-1 FIR] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4648. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Almonds Grown in California; Revision of Outgoing Quality Control Requirements [Doc. No.: AMS-FV-08-0045; FV08-981-2 FIR] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4649. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cotton Research and Promotion Program: Designation of Cotton-Producing States; Secretary's Decision and Referendum Order on Proposed Amendments to the Cotton Research and Promotion Order [Doc. #: AMS-CN-09-0032; CN-08-003] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4650. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Increased Assessment Rate [Doc. No.: AMS-FV-09-0037; FV09-927-1 FR] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4651. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Nectarines and Peaches Grown in California; Decreased Assessment Rates [Doc. No.: AMS-FV-09-0013; FV09-916/917-2 IFR] received November 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4652. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Fresh Prunes Grown in Designated Counties in Washington and in Umatilla County, OR; Increased Assessment Rate [Doc. No.: AMS-FV-09-0040; FV09-924-1 FR] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4653. A letter from the Department Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Plastic Surgery Devices; Classification of Wound Dressing With Poly (Diallyl Dimethyl Ammonium Chloride) Additive [Docket No.: FDA-2009-N-0333] received November 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4654. A letter from the Deputy Assistant Administrator/Office of Diverson Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Fospropofol into Schedule IV [Docket No.: DEA-327F] received November 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4655. A letter from the Director, Bureau Of Economic Analysis, Department of Commerce, transmitting the Department's final rule — International Services Surveys: BE-150, Quarterly Survey of Cross-Border Credit, Debit, and Charge Card Transactions [Docket No.: 0807311000-9272-02] (RIN: 0691-AA67) received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4656. A letter from the Senior Advisor, OFAC, Department of the Treasury, transmitting the Department's final rule — Economic Sanctions Enforcement Guidelines received November 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4657. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XS34) received November 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4658. A letter from the Director, Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Service Connection for Amyotrophic Lateral Sclerosis (RIN: 2009-AN05) received November 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

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:

[Omitted from the Record on November 7, 2009]

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3618. A bill to provide for implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, and for other purposes (Rept. 111–331 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3360. A bill to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes (Rept. 111–332). Referred to the Committee of the Whole House on the State of the Union.

[Submitted November 16, 2009]

Mr. RAHALL: Committee on Natural Resources. H.R. 86. A bill to eliminate an unused lighthouse reservation, provide management consistency by bringing the rocks and small islands along the coast of Orange County, California, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes; with an amendment (Rept. 111–334). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 118. A bill to authorize the addition of 100 acres to Morristown National Historical Park, with an amendment (Rept. 111–335). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2781. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 111–336). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2888. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin

Creeks in the State of Oregon as wild or recreation rivers, and for other purposes; with an amendment (Rept. 111–337). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 841. Resolution expressing support for designation of November 29, 2009, as ''Drive Safer Sunday'' (Rept. 111–338). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the following actions were taken by the Speaker:

[Omitted from the Record of November 7, 2009]

The Committee on Science and Technology discharged from further consideration. H.R. 3618 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

The Committee on Homeland Security discharged from further consideration. H.R. 3791 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

[Omitted from the Record of November 7, 2009]

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 3791. A bill to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes, with an amendment, Rept. 111–333, Pt. 1; referred to the committee on Homeland Security for a period ending not later than November 7, 2009, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committed pursuant to clause 1(i), rule X.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on November 13, 2009]

H.R. 2989. Referral to the Committee on Ways and Means extended for a period ending not later than December 11, 2009.

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. LEWIS of Georgia (for himself and Mr. BOUSTANY):

H.R. 4068. A bill to amend the Internal Revenue Code of 1986 to limit the penalty for failure to disclose reportable transactions based on resulting tax benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. HARE (for himself and Mr. DAVIS of Illinois):

H.R. 4069. A bill to amend the Internal Revenue Code of 1986 to allow S corporations the deduction for charitable contributions of inventory; to the Committee on Ways and Means.

By Mr. POMEROY (for himself and Mr. SHIMKUS):

H.R. 4070. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 4071. A bill to require insurers of motor vehicles to provide coverage of bodily injuries in insurance policies; to the Committee on Financial Services.

By Mr. MINNICK (for himself, Mr. KRATOVIL, Mr. BRIGHT, and Mrs. HALVORSON):

H.R. 4072. A bill to require that certain Federal job training and career education programs give priority to programs that provide a national industry-recognized and portable credential; to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINNICK (for himself, Mr. SHULER, Mr. BOUCHER, Mr. DAVIS of Tennessee, Mr. KISSELL, Mr. TEAGUE, Mr. THOMPSON of Pennsylvania, Mr. MICHAUD, and Mrs. KIRKPATRICK of Arizona):

H.R. 4073. A bill to amend title 38, United States Code, to increase the payments to certain veterans for certain travel expenses; to the Committee on Veterans' Affairs.

By Mr. BURGESS:

H.R. 4074. A bill to amend the Internal Revenue Code of 1986 to eliminate the temporary increase in unemployment tax; to the Committee on Ways and Means.

By Mr. GRAVES (for himself, Mr. CLAY, Mr. AKIN, Mr. ETHERIDGE, and Mr. MCINTYRE):

H.R. 4075. A bill to amend the Internal Revenue Code of 1986 to extend and expand the deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. KINGSTON:

H.R. 4076. A bill to suspend temporarily the duty on mixtures of Chlorsulfuron (2-Chloro-N-[(4-methoxy-6-methyl-1, 3, 5-triazin-2-yl)aminocarbonyl]benzenesulfonamide) and metsulfuron methyl (Methyl 2[[[[(4-methoxy-6-methyl-1, 3,5-triazin-2-yl)arnino]carbonyl]amino]sulfonyl] benzoate) and inert ingredients; to the Committee on Ways and Means.

By Mr. MAFFEI:

H.R. 4077. A bill to amend title 49, United States Code, to make it an unfair or deceptive practice for any air carrier, foreign air carrier, or ticket agent to charge a fee for or accept payment from a passenger on a flight segment for the first piece of checked baggage; to the Committee on Transportation and Infrastructure.

By Mr. PERRIELLO:

H.R. 4078. A bill to require the Secretary of Health and Human Services to develop a national model disclosure form to assist consumers in purchasing long-term care insurance; to the Committee on Energy and Commerce.

By Mr. PERRIELLO:

H.R. 4079. A bill to amend title 38, United States Code, to temporarily remove the requirement for employers to increase wages for veterans enrolled in on-the-job training programs; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself and Mr. DANIEL E. LUNGREN of California):

H.R. 4080. A bill to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety; to the Committee on the Judiciary.

By Mr. SCHRADER:

H.R. 4081. A bill to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Willamette Falls National Heritage Area in Oregon, and for other purposes; to the Committee on Natural Resources.

By Mr. WHITFIELD:

H.R. 4082. A bill to authorize the Secretary of Energy to pay affected participants under a pension plan referred to in the USEC Privatization Act for benefit increases not received; to the Committee on Energy and Commerce.

By Ms. LORETTA SANCHEZ of California (for herself, Mrs. DAVIS of California, Mr. LARSEN of Washington, Ms. BORDALLO, Ms. SHEA-PORTER, Mr. ABERCROMBIE, Ms. PINGREE of Maine, Mr. JOHNSON of Georgia, Mr. HEINRICH, Ms. TSONGAS, Ms. GIFFORDS, and Mr. MASSA):

H. Res. 904. A resolution honoring women who have served and women who are currently serving in Operation Iraqi Freedom and Operation Enduring Freedom as members of the Armed Forces and recognizing their increasing and invaluable role to the success of current military operations; to the Committee on Armed Services.

By Mr. YARMUTH:

H. Res. 905. A resolution recognizing the 70th anniversary of the retirement of Justice Louis D. Brandeis from the United States Supreme Court; to the Committee on the Judiciary.

By Mr. LEWIS of Georgia (for himself, Mr. JOHNSON of Georgia, and Mr. GRIJALVA):

H. Res. 906. A resolution expressing the sense of the House of Representatives to encourage continued investment to complete the development of an HIV/AIDS vaccine for the United States; to the Committee on Energy and Commerce.

By Mr. SERRANO:

H. Res. 907. A resolution recognizing the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and an important nexus of commerce and culture for the City of New York; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. LEWIS of Georgia.

H.R. 156: Mr. MICA.

H.R. 197: Mr. EDWARDS of Texas.

H.R. 211: Mr. BISHOP of Georgia, Mr. DICKS, and Mr. ABERCROMBIE.

H.R. 268: Mr. BLUNT, Mr. MCCARTHY of California, and Mr. PAULSEN.

H.R. 272: Mr. COHEN, Mr. SOUDER, and Mr. CALVERT.

H.R. 275: Mr. OLSON.

H.R. 417: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRAYSON, and Mr. CUMMINGS.

H.R. 422: Mr. SCHOCK, Mr. TIAHRT, Mr. AKIN, Mr. POSEY, and Mr. WILSON of South Carolina.

H.R. 571: Ms. MCCOLLUM.

H.R. 644: Mr. HEINRICH and Mr. WU.

H.R. 690: Mr. SPACE, Mr. TANNER, Mr. ROE of Tennessee, and Mr. MCDERMOTT.

H.R. 718: Mr. FORBES.

H.R. 745: Mr. KILDEE.

H.R. 836: Mr. BOREN, Mr. BUTTERFIELD, and Mr. KLEIN of Florida.

H.R. 847: Ms. JACKSON-LEE of Texas.

H.R. 886: Mr. TOWNS, Mr. MORAN of Virginia, Mr. RAHALL, Mr. STARK, Mr. RYAN of Wisconsin, Mr. BOSWELL, Mr. JOHNSON of

Georgia, Mr. ROTHMAN of New Jersey, Mr. CONYERS, and Mr. HINCHEY.

H.R. 930: Mr. BRADY of Pennsylvania, Mr. MCGOVERN, Ms. SUTTON, and Mr. BILBRAY.

H.R. 932: Mr. TONKO and Ms. SLAUGHTER.

H.R. 982: Mr. BOUSTANY, Mr. BURTON of Indiana, Mrs. CAPITO, Mr. COFFMAN of Colorado, Mr. KINGSTON, Mr. MCKEON, Mr. PLATTS, Mr. PUTNAM, Mr. RADANOVICH, Mr. ROHRABACHER, Mr. SCALISE, and Mr. UPTON.

H.R. 1032: Ms. SPEIER, Mr. RODRIGUEZ, Mr. LEWIS of Georgia, and Mr. RAHALL.

H.R. 1086: Mr. SCHOCK.

H.R. 1126: Mr. MOORE of Kansas.

H.R. 1132: Mr. GOHMERT, Mr. CULBERSON, Mr. AKIN, Mr. BARRETT of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. CASTLE, Mr. CLEAVER, Mr. DAVIS of Kentucky, Mr. DEAL of Georgia, Mr. DELAHUNT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. FORTENBERRY, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. HALL of Texas, Mr. JOHNSON of Illinois, Mr. LATOURETTE, Mr. MELANCON, Mr. PERLMUTTER, Mr. SESSIONS, Mr. SHADEGG, Mr. SMITH of New Jersey, Mr. TERRY, Mr. THOMPSON of California, Mr. TOWNS, Mr. UPTON, Mr. BAIRD, Mr. TURNER, and Mrs. EMERSON.

H.R. 1159: Mr. ANDREWS.

H.R. 1175: Mr. MASSA and Mr. NYE.

H.R. 1189: Mr. CALVERT and Mr. BAIRD.

H.R. 1204: Mr. SIMPSON.

H.R. 1230: Mr. CLAY and Mr. ELLSWORTH.

H.R. 1242: Mr. HINOJOSA and Mr. SESSIONS.

H.R. 1250: Mr. RYAN of Ohio and Mr. LANCE.

H.R. 1278: Ms. SCHAKOWSKY.

H.R. 1326: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LYNCH, Mr. SARBANES, Mr. OBERSTAR, and Ms. MCCOLLUM.

H.R. 1351: Mr. INGLIS and Mr. RUPPERSBERGER.

H.R. 1389: Mr. ANDREWS.

H.R. 1443: Ms. TSONGAS.

H.R. 1454: Mr. GRIJALVA, Mrs. MALONEY, and Mr. RADANOVICH.

H.R. 1517: Mrs. MILLER of Michigan.

H.R. 1523: Mr. RYAN of Ohio, Mrs. CHRISTENSEN, and Mr. STARK.

H.R. 1526: Ms. SCHAKOWSKY, Mr. RAHALL, Ms. TITUS, Mr. SCOTT of Virginia, and Mr. HINOJOSA.

H.R. 1549: Mr. MORAN of Virginia, Mr. LYNCH, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1557: Mr. BOREN, Mr. CARNEY, Mr. BRIGHT, Mr. DAVIS of Tennessee, Mr. BARROW, Mr. NYE, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. PETERSON, Mr. FRANKS of Arizona, Ms. GRANGER, and Mr. LIPINSKI.

H.R. 1766: Mr. FILNER.

H.R. 1792: Mr. MASSA.

H.R. 1806: Mr. SESTAK and Mr. LATOURETTE.

H.R. 1818: Mr. MICHAUD.

H.R. 1826: Mrs. NAPOLITANO and Mr. FARR.

H.R. 1829: Mr. KISSELL.

H.R. 1835: Mr. DOYLE.

H.R. 1894: Mrs. BIGGERT.

H.R. 1924: Mr. CALVERT.

H.R. 1925: Ms. RICHARDSON.

H.R. 1993: Mr. CONNOLLY of Virginia.

H.R. 2012: Mr. MEEKS of New York.

H.R. 2122: Mr. SCHOCK.

H.R. 2138: Mr. SESTAK.

H.R. 2149: Mr. POE of Texas and Mr. KILDEE.

H.R. 2156: Ms. RICHARDSON, Mr. BAIRD, and Mrs. MALONEY.

H.R. 2159: Mr. RUSH.

H.R. 2194: Mr. RADANOVICH.

H.R. 2267: Mr. WEINER.

H.R. 2377: Mr. MCDERMOTT.

H.R. 2381: Ms. SCHAKOWSKY.

H.R. 2408: Ms. CLARKE.

H.R. 2446: Mr. JACKSON of Illinois.

H.R. 2480: Ms. TSONGAS, Mr. SARBANES, Mr. ABERCROMBIE, Mr. MCCAUL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ANDREWS, Mr. ISRAEL, and Mr. OBERSTAR.

H.R. 2528: Mr. MICHAUD.

H.R. 2542: Mr. VAN HOLLEN.

H.R. 2578: Ms. TITUS and Ms. EDWARDS of Maryland.

H.R. 2624: Mr. JACKSON of Illinois.

H.R. 2625: Mr. WELCH.

H.R. 2648: Mr. AUSTRIA and Mr. CLYBURN.

H.R. 2709: Ms. EDWARDS of Maryland.

H.R. 2835: Mr. NADLER of New York.

H.R. 2866: Mr. MCCAUL, Ms. TITUS, Mr. LEE of New York, Mr. MORAN of Kansas, and Mr. HALL of Texas.

H.R. 2897: Mr. SOUDER, Mr. DONNELLY of Indiana, Mr. CUELLAR, Mr. EDWARDS of Texas, Mr. ELLISON, Mr. STUPAK, Mr. LYNCH, and Mr. POMEROY.

H.R. 2906: Mr. BRALEY of Iowa and Mr. FORBES.

H.R. 2941: Mr. STARK.

H.R. 3019: Ms. MATSUI.

H.R. 3020: Mr. CHAFFETZ, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. SIMPSON.

H.R. 3039: Mr. PAULSEN.

H.R. 3053: Mr. JOHNSON of Georgia.

H.R. 3077: Mr. GRAYSON and Mr. FRANK of Massachusetts.

H.R. 3116: Mr. CARNEY.

H.R. 3202: Mr. GEORGE MILLER of California, Mr. GUTIERREZ, and Ms. NORTON.

H.R. 3217: Mr. POE of Texas and Mr. POSEY.

H.R. 3218: Mr. POSEY.

H.R. 3245: Ms. BALDWIN.

H.R. 3286: Mr. GUTHRIE.

H.R. 3307: Mr. PUTNAM, Ms. GINNY BROWN-WAITE of Florida, Ms. ROS-LEHTINEN, and Mr. WILSON of South Carolina.

H.R. 3328: Mr. LYNCH and Mr. JACKSON of Illinois.

H.R. 3355: Mr. MICHAUD.

H.R. 3359: Ms. FUDGE.

H.R. 3380: Mrs. NAPOLITANO.

H.R. 3381: Ms. NORTON.

H.R. 3439: Mr. MCDERMOTT.

H.R. 3454: Mr. SHADEGG.

H.R. 3480: Ms. ESHOO and Mr. FILNER.

H.R. 3493: Mr. HINCHEY.

H.R. 3508: Mr. WESTMORELAND.

H.R. 3545: Ms. ROYBAL-ALLARD and Mr. JACKSON of Illinois.

H.R. 3554: Mr. LYNCH, Mr. BARROW, and Mr. MCDERMOTT.

H.R. 3560: Ms. LEE of California.

H.R. 3578: Mr. MCINTYRE.

H.R. 3611: Mr. MCCOTTER.

H.R. 3621: Ms. MCCOLLUM.

H.R. 3623: Mr. JACKSON of Illinois.

H.R. 3644: Mr. FALEOMAVAEGA and Mr. MORAN of Virginia.

H.R. 3652: Ms. HERSETH SANDLIN and Mr. FORBES.

H.R. 3677: Mr. CARTER.

H.R. 3679: Mr. GRAYSON.

H.R. 3683: Mr. PASCRELL.

H.R. 3693: Mrs. BLACKBURN.

H.R. 3700: Mr. LUETKEMEYER.

H.R. 3715: Mr. CHANDLER.

H.R. 3724: Mr. TIBERI.

H.R. 3728: Mr. GRAYSON.

H.R. 3749: Mr. KING of Iowa and Mr. WILSON of Ohio.

H.R. 3765: Mr. WALDEN.

H.R. 3766: Mr. WATT and Ms. FUDGE.

H.R. 3790: Mr. POE of Texas, Mr. TIM MURPHY of Pennsylvania, Mr. COHEN, Mrs. MCCARTHY of New York, Mr. RUPPERSBERGER, and Mr. RODRIGUEZ.

H.R. 3799: Mr. KILDEE and Mr. LEWIS of Georgia.

H.R. 3800: Ms. ROYBAL-ALLARD.

H.R. 3821: Mr. POSEY.

H.R. 3822: Mr. POSEY.

H.R. 3837: Mr. HOLDEN and Ms. LORETTA SANCHEZ of California.

H.R. 3904: Mrs. LOWEY, Mrs. DAVIS of California, Mr. SERRANO, and Mr. MORAN of Virginia.

H.R. 3905: Mr. OLSON and Mr. TIAHRT.

H.R. 3942: Ms. SCHAKOWSKY and Mr. CULBERSON.

H.R. 3943: Mr. HALL of New York, Mr. MAFFEI, Mr. MOORE of Kansas, Mr. SPACE, Mr. POLIS of Colorado, and Mr. GRIJALVA.

H.R. 3966: Mr. GRAYSON.

H.R. 3991: Ms. CHU and Mr. KUCINICH.

H.R. 4000: Mr. JOHNSON of Georgia.

H.R. 4003: Mr. TONKO.

H.R. 4021: Mr. TONKO and Ms. MATSUI.

H.R. 4022: Mr. BOUSTANY.

H.R. 4034: Mr. MINNICK, Ms. BORDALLO, and Mr. WAMP.

H.R. 4044: Mr. HODES.

H.R. 4045: Mr. MINNICK, Mr. FARR, and Mr. JOHNSON of Georgia.

H.R. 4048: Mr. WALZ.

H.R. 4051: Mr. PASCRELL.

H.J. Res. 47: Mr. TIBERI.

H. Con. Res. 67: Ms. JACKSON-LEE of Texas.

H. Con. Res. 170: Mr. TIM MURPHY of Pennsylvania and Mr. WAMP.

H. Con. Res. 212: Mr. SCHOCK, Mr. KLEIN of Florida, Mr. BURTON of Indiana, Mr. DOGGETT, and Mr. MANZULLO.

H. Res. 111: Mr. LATHAM and Mr. POMEROY.

H. Res. 150: Mr. CONYERS and Ms. JACKSON-LEE of Texas.

H. Res. 166: Mr. FORBES.

H. Res. 200: Mr. DELAHUNT and Ms. ROS-LEHTINEN.

H. Res. 227: Mr. MCCOTTER.

H. Res. 397: Mr. UPTON.

H. Res. 516: Mr. CALVERT.

H. Res. 524: Mr. SNYDER.

H. Res. 611: Mr. BRALEY of Iowa.

H. Res. 727: Mr. CALVERT.

H. Res. 803: Mr. MORAN of Kansas and Mr. MCMAHON.

H. Res. 851: Mr. ROTHMAN of New Jersey.

H. Res. 861: Mr. CAO and Mr. HOEKSTRA.

H. Res. 864: Mr. DAVIS of Alabama, Mr. FALEOMAVAEGA, Mr. PASTOR of Arizona, Mr. GRIJALVA, Mr. THOMPSON of California, Mr. GARAMENDI, Mr. MCNERNEY, Ms. SPEIER, Ms. ESHOO, Mr. HONDA, Mr. FARR, Mr. COSTA, Mrs. CAPPS, Mr. BERMAN, Mr. SCHIFF, Mr. WAXMAN, Ms. CHU, Ms. WATSON, Ms. ROYBAL-ALLARD, Ms. RICHARDSON, Mrs. NAPOLITANO, Ms. MATSUI, Mr. FILNER, Mrs. DAVIS of California, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Ms. DEGETTE, Mr. POLIS of Colorado, Mr. PERLMUTTER, Mr. COURTNEY, Mr. HIMES, Mr. MURPHY of Connecticut, Ms. NORTON, Ms. CASTOR of Florida, Mr. WEXLER, Mr. KLEIN of Florida, Mr. HASTINGS of Florida, Ms. CORRINE BROWN of Florida, Mr. BARROW, Mr. SCOTT of Georgia, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Ms. BORDALLO, Mr. ABERCROMBIE, Ms. HIRONO, Mr. BRALEY of Iowa, Mr. LOEBSACK, Mr. COSTELLO, Mr. HARE, MR. JACKSON of Illinois, Mr. GUTIERREZ, Mr. QUIGLEY, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. DONNELLY of Indiana, Mr. CARSON of Indiana, Mr. YARMUTH, Mr. OLVER, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Ms. TSONGAS, Mr. TIERNEY, Mr. MARKEY of Massachusetts, Mr. LYNCH, Mr. KRATOVIL, Mr. RUPPERSBERGER, Ms. EDWARDS of Maryland, Mr. CUMMINGS, Ms. PINGREE of Maine, Mr. LEVIN, Ms. KILPATRICK of Michigan, Mr. CONYERS, Mr. DINGELL, Mr. KILDEE, Mr. SCHAUER, Mr. PETERS, Mr. WALZ, Ms. MCCOLLUM, Mr. ELLISON, Mr. CLAY, Mr. CARNAHAN, Mr. CLEAVER, Mr. SABLAN, Mr. THOMPSON of Mississippi, Mr. BUTTERFIELD, Mr. WATT, Mr. MILLER of North Carolina, Ms. SHEA-PORTER, Mr. ANDREWS, Mr. PAYNE, Mr. HOLT, Mr. SIRES, Mr. PALLONE, Mr. ROTHMAN of New Jersey, Mr. BISHOP of New York, Mr. TOWNS, Ms. CLARKE, Ms. VELÁZQUEZ, Mr. MCMAHON, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. HINCHEY, Mr. ARCURI, Mr. HIGGINS, Ms. SLAUGHTER, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. CROWLEY, Mr. NADLER of New York, Mr. WEINER, Mr. RYAN of Ohio, Mr. DRIEHAUS, Mr. KUCINICH, Ms. FUDGE, Ms. KILROY, Mr. BOCCIERI, Mr. WILSON of Ohio, Ms. KAPTUR, Mr. WU, Mr.

BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. KANJORSKI, Mr. MURTHA, Ms. SCHWARTZ, Mr. FATTAH, Mrs. DAHLKEMPER, Mr. PIERLUISI, Mr. KENNEDY, Mr. LANGEVIN, Mr. SPRATT, Mr. CLYBURN, Mr. COHEN, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Mr. GONZALEZ, Mr. RODRIGUEZ, Mr. DOGGETT, Mr. CUELLAR, Mr. AL GREEN of Texas, Mr. CONNOLLY of Virginia, Mr. SCOTT of Virginia, Mr. PERRIELLO, Mr. WELCH, Mr. INSLEE, Mr. DICKS, Mr. MCDERMOTT, Ms. BALDWIN, Ms. MOORE of Wisconsin, Mr. KAGEN, Mr. MOLLOHAN, Mr. RAHALL, Mr. STARK, Mr. BECERRA, Ms. WATERS, Ms. LINDA T. SÁNCHEZ of California, Mr. BACA, Ms. LEE of California, Mr. SALAZAR, Mr. RUSH, Mr. DELAHUNT, Mr. LUJÁN, Mr. REYES, Mr. ORTIZ, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. CHRISTENSEN.

H. Res. 870: Mr. SIMPSON, Mr. HASTINGS of Washington, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. ROGERS of Michigan, Mr. GOODLATTE, Mr. KIRK, Mr. SMITH of Nebraska, Mr. LEWIS of California, Mr. ROYCE, Mr. CRENSHAW, Mr. UPTON, and Mr. ROGERS of Kentucky.

H. Res. 879: Ms. FUDGE, Mr. HOLT, Mr. HALL of New York, Mr. COURTNEY, Mrs. MCMORRIS RODGERS, Ms. CORRINE BROWN of Florida, Ms. RICHARDSON, Mr. KISSELL, Mr. SIMPSON, Ms. NORTON, Mr. WALZ, Mrs. MALONEY, Mr. KIRK, Mr. CASTLE, Ms. MATSUI, Mr. LOBIONDO, Mr. THOMPSON of Pennsylvania, Ms. CHU, Mr. GRAVES, Mr. PIERLUISI, and Mr. FILNER.

H. Res. 890: Mr. LEWIS of Georgia, Mr. PALLONE, Mr. HONDA, Mr. LEVIN, Mr. COSTA, Mr. LARSEN of Washington, Mr. KILDEE, Mr. MCMAHON, Ms. BORDALLO, and Mr. BUTTERFIELD.

H. Res. 891: Mr. HERGER, Ms. BORDALLO, Mr. COOPER, Ms. SHEA-PORTER, Mr. SNYDER, Mr. COFFMAN of Colorado, Ms. PINGREE of Maine, Mr. BRIGHT, Mrs. DAVIS of California, Mr. FORBES, Mr. LANGEVIN, Mr. COBLE, and Mr. DELAHUNT.

H. Res. 900: Mr. BISHOP of New York and Mr. MASSA.

H. Res. 901: Mr. STARK, Ms. FUDGE, Mr. PAYNE, Ms. CORRINE BROWN of Florida, Mr. TOWNS, and Mr. LEWIS of Georgia.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, MONDAY, NOVEMBER 16, 2009 No. 169

Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord, still our busyness that we may take time to hear Your voice. Focus the attention of our lawmakers that they may be attuned to Your special speaking. Silence the noises that distract them, enabling them to hear Your still, small voice. Infuse them also with such courage that they will patiently endure even Your silence, as they seek to fulfill Your purposes by their labors. Lord, visit them with Your presence and power until Your will is done on Earth as it is done in heaven.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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, November 16, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER 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 of morning business until 3 p.m. today, with Senators permitted to speak for up to 10 minutes each. Following morning business, the Senate will resume consideration of the Military Construction and Veterans Affairs Act. At 5:30, the Senate will proceed to two rollcall votes in relation to the bill. The first vote is in relation to the Coburn amendment No. 2757. The second vote is in relation to the Coburn motion to commit the bill.

MEASURE PLACED ON THE CALENDAR—H.R. 3962

Mr. REID. Mr. President, H.R. 3962 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (H.R. 3962) to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes.

Mr. REID. Mr. President, I now object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

Mr. REID. The Chair will announce morning business, please.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for morning business up to 3 p.m., with Senators permitted to speak for up to 10 minutes each.

Mr. REID. 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 that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, will you please let me know when 10 minutes have expired?

The ACTING PRESIDENT pro tempore. The Chair will do so.

(The remarks of Mr. ALEXANDER and Mr. WEBB pertaining to the introduction of S. 2776 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The ACTING PRESIDENT pro tempore. The Senator from Texas.

TRAIL OF KHALID SHAIKH MOHAMMED

Mr. CORNYN. Mr. President, I want to speak about the decision announced last Friday by the Attorney General to bring Khalid Shaikh Mohammed and other 9/11 coconspirators to the United States from Guantanamo Bay to stand trial in the Southern District of New York.

Of course, Khalid Shaikh Mohammed is the self-described mastermind of the 9/11 tragedy where 3,000 Americans

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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were killed. This is a terrible—a terrible—decision by the Attorney General and by the administration for any number of reasons, but I would like to explain why I believe this decision should be reconsidered by the Attorney General and the President of the United States—because of the risk at which it puts Americans and because this provides Khalid Shaikh Mohammed, a self-described superterrorist—this gives him everything he could have ever wanted, which is a platform to spew his hate-filled ideology and one in which he can recruit other like-minded individuals all around the world who may be watching.

One of the things I am always amazed by in our great country is how short our memory is. Of course, we are a nation at war after 9/11. But this is a war unlike any other this Nation has ever fought. We are at war with a murderous ideology, with ruthless killers who wear no uniforms and use civilians as human shields. Treating these war crimes like ordinary criminal events and trying these killers in an article III or a Federal court under the Constitution is simply reverting to a pre-9/11 mentality.

What do I mean by that? Mr. President, you will recall that the 9/11 Commission investigated the causes of what happened on September 11, 2001. One of the things they identified was the wall separating the sharing of intelligence which was shared among the intelligence community, and what information was developed during a criminal investigation had to be kept separate from ordinary intelligence collected by our military and our intelligence community. One of the things the 9/11 Commission unanimously said was that we needed to tear down that wall and share information, as we can consistent with the law, in order to protect the American people.

Simply put, the trial of the 9/11 coconspirators, not in a military commission at Guantanamo Bay but in a Federal district court in Manhattan, one of the most populous portions of our country, is simply forgetting the lessons we should have learned on 9/11, which the 9/11 Commission so eloquently laid out for us and demonstrated.

But let's focus on who Khalid Shaikh Mohammed is, lest we have forgotten. According to the 9/11 Commission Report:

> KSM [Khalid Shaikh Mohammed] describes a grandiose original plan: a total of ten aircraft to be hijacked, 9 of which would crash into targets on both coasts.
>
> They included those eventually hit on September 11 plus: CIA and FBI headquarters, nuclear power plants, and the tallest buildings in California and the State of Washington.

Further quoting the report:

> KSM [Khalid Shaikh Mohammed] himself was to land the 10th plane at a U.S. airport and—after killing all adult male passengers on board and alerting the media—delivering a speech excoriating U.S. support for Israel, the Philippines, and repressive governments in the Arab world.

The 9/11 Commission report concluded:

> This is theater, a spectacle of destruction with KSM [Khalid Shaikh Mohammed] as the self-cast star—the superterrorist.

This is whom the Attorney General announced we will be bringing from Guantanamo Bay to a court in Manhattan to try as a common criminal. But he is anything but a common criminal. He is guilty of nothing less than war crimes against innocent Americans. According to this decision, the Attorney General is going to be providing him the forum he can use in order to proclaim himself as the ''superterrorist'' and in order to attract like-minded ideologues to his sick and twisted ideas of jihad. A criminal trial only gives Khalid Shaikh Mohammed the platform he has sought for years: a platform to expound his hatred to his would-be followers around the world.

The second reason this is a bad idea is because our civilian courts and procedures are ill-suited for terrorism trials because we cannot put judges in charge of national security.

I have high regard for the men and women who serve on our judicial benches around the country. I myself was a judge for 13 years in Texas. But our experience with terrorist trials shows that civilian courts are an inappropriate forum for a trial of war crimes.

As a result of information—this is one example why—as a result of information disclosed during the trials related to the East Africa Embassy bombings, Osama bin Laden became aware of cell phone intercepts, which prompted his organization to discontinue cell phone conversations. Because of the evidence disclosed in the trial, they simply realized they were being eavesdropped on and quit using cell phones, denying us that intelligence.

During the trial of Ramzi Yousef, the mastermind of the 1993 World Trade bombing, terrorists became aware of a communications link that provided enormously valuable intelligence to U.S. officials. This link, too, was shut down after the disclosure in that trial.

Then there was the trial of Sheik Omar Abdel Rahman, the Blind Sheik. A secret list of unindicted coconspirators in the prosecution wound up in the hands of Osama bin Laden in Sudan.

During the trial of Zacarias Moussaoui, the 20th hijacker, prosecutors inadvertently leaked sensitive material to defense counsel. Here is what the judge had to say about that case, which she characterized as ''like a circus.'' She said:

> [Lawyers] are talking about the contents of sealed hearings [to the media], if I see any more [of] what I think are inappropriate leaks, I'm going to ask the FBI to start an investigation.

But that trial never even made it to a jury. Moussaoui's lawyers tied the court up in knots so he could use the trial as a platform to air his anti-American tirades. The only reason the trial ultimately ended was because at the last minute Moussaoui decided to plead guilty. That plea relieved the government of the choice between allowing a fishing expedition into its intelligence files or dismissing the charges altogether.

One thing we can see with great confidence is that the trial of Khalid Shaikh Mohammed in a Federal district court in Manhattan will become the same kind of media circus times 10. It will give Khalid Shaikh Mohammed a platform to inspire his fellow terrorists.

Prosecutors will be forced to reveal U.S. intelligence on Khalid Shaikh Mohammed, the methods and sources for acquiring that information, and his relationships with fellow al-Qaida operatives around the world. That information will allow al-Qaida to develop more effective plots and to alert operatives whose cover is blown. This information will enable al-Qaida to detect our means of intelligence gathering and to push forward into areas we know nothing about.

Congress has made clear that U.S. civilian courts are not the appropriate venue to bring terrorists to justice. That is why we passed, in 2006, the Military Commissions Act. The military commissions were specifically designed to prevent sensitive disclosures and to protect classified information and sensitive sources and methods. Of course, we know from our work on these military commissions that they have a long history in our Republic—dating back from the Revolutionary War, to the Civil War, and to World War II—and they are an appropriate forum for Khalid Shaikh Mohammed and other terrorists.

As a matter of fact, the Attorney General made the baffling decision to try some of the worst of the worst—a superterrorist such as Khalid Shaikh Mohammed—in a Federal district court in Manhattan and to leave other terrorists for trial in Guantanamo Bay before military commissions. And I say, if Guantanamo Bay and military commissions are good enough for these other terrorists in the opinion of the Attorney General, they ought to be good enough for terrorists such as Khalid Shaikh Mohammed and his fellow 9/11 coconspirators.

Khalid Shaikh Mohammed and other terrorists, simply put, should not be brought to the United States. They should not be granted the same rights and privileges as American criminal defendants. They should stay at Guantanamo Bay and be prosecuted through the military commissions established by Congress under the terms circumscribed by the U.S. Supreme Court.

I ask my colleagues to remember that on July 19, 2007, we had a vote on this sense-of-the-Senate resolution: It is the sense of the Senate that detainees housed at Guantanamo Bay, Cuba, including senior members of al-Qaida, should not be released into American society, nor should they be transferred

stateside into facilities in American communities and neighborhoods. That sense-of-the-Senate resolution passed 94 to 3. Rarely do we see such unanimous, bipartisan opposition for the very acts the Attorney General announced last Friday, and it is with good reasons, some of which I have had the opportunity to discuss today. But there are other reasons that I will look for opportunities to come back and talk about to my colleagues.

I would ask the President of the United States to overrule the decision of his Attorney General because it is ill-advised. It will make America a more dangerous place, and it will allow terrorists such as Khalid Shaikh Mohammed—it will provide them the platform to spew their hateful ideology and encourage others to join them in killing innocent Americans and other individuals.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent to speak in morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MILITARY TRANSITION

Ms. KLOBUCHAR. Mr. President, this afternoon the Senate will resume consideration of the Military Construction and Department of Veterans Affairs appropriations bill. This critical legislation will provide full funding for veterans health care and other essential VA services.

Last week, Mr. President, as I am sure you and many of my colleagues did, I had the opportunity to meet with veterans around my State, really for 2 days, and I came back to Washington with a renewed commitment to provide our Nation's veterans with full support and the benefits they so clearly deserve.

Passing this VA appropriations bill is an important step toward fulfilling the promise we make to our veterans when they enlist: that we will take care of them when they return home. I figure, when they signed up for war there was no waiting line, so when they come home to the United States of America and they need a job or they need health care or they need any type of help from this government, there should not be a waiting line.

But funding the VA's health care system—as we are doing this week—and other existing veterans programs is only part of fulfilling that promise. Another critical component of fulfilling that promise is helping our newest generation of veterans make the difficult transition from military to civilian life—and what a difficult transition it is. New figures have recently come out that show that for post-9/11 veterans, their unemployment in October was 11.6 percent—significantly above the national average. But, like many of the national unemployment rate statistics, this statistic conceals the true scope of the problem. Here is the number to remember: 18. Eighteen percent of veterans who left the military in the past 1 to 3 years are unemployed, according to a 2008 Department of Veterans Affairs employment survey. Of those veterans who have found work, 25 percent earn less than $21,800 per year and only 58 percent of veterans who are employed have been able to find work in the private sector.

These are the people whom I saw when I was at home. One of the things that came to my attention was that a number of them would choose, if they could, to pursue apprenticeships. A lot of them want to go to college for 2-year or 4-year degrees. We have large numbers of returning soldiers in college in Minnesota. One of the things I found from visiting some of our technical colleges is that a number of them would like to choose to pursue a different way to find a job.

A recent VA survey of private sector employers found there is a perception that servicemembers do not perform duties within tightly defined skill sets. The study concluded there should be a greater emphasis placed on business and professional training of veterans coupled with increased efforts to match their skills with available jobs. That is why I introduced bipartisan legislation last week, joined by Senator JOHANNS of Nebraska and Senator MURRAY of Washington, to help Iraq and Afghanistan veterans obtain the training and experience necessary for full-time employment by allowing them to use their post-9/11 GI bill benefits for job training and apprenticeship programs.

As my colleagues know, last year, under the leadership of Senator WEBB, we passed into law the Post-9/11 Veterans' Educational Assistance Act, which will provide the men and women who served on active duty since September 11, 2001, with comprehensive educational benefits similar to those World War II veterans received. While I believe there is no greater investment we can make in the future of our veterans than granting them the chance to pursue the higher education of their choosing, I also believe we must not limit veterans' opportunities to only the pursuit of academic degrees. Not every returning soldier chooses to go to college, but they still want a job. Job training, from pipefitting to law enforcement, should also be covered by the GI bill.

Our legislation, the Post-9/11 Veterans' Job Training Act, would allow veterans who wish to enter the workforce immediately rather than pursuing an academic degree to use their post-9/11 GI bill benefits to obtain critical training and job skills.

Specifically, veterans enrolled in an on-the-job training or apprenticeship program could use their benefits to pay for a percentage of their monthly housing costs, which would decline over a period of months; certification and testing fees; relocation and travel expenses; and tutoring costs. We put these things together based on our discussion with veterans across the country to see what their exact needs were to make it easier for them to go through the pipefitting apprenticeship programs and others that land them in the workforce more immediately.

In order to qualify under this legislation, veterans must be enrolled in programs that have been approved by their State's accrediting agency. As under the old GI bill, veterans can also receive a salary from their employer during this training. This bill will restore the same eligibility and benefits for job training and apprenticeship programs that were available to veterans under the Montgomery GI bill, but are no longer available under the post-9/11 GI bill.

I talked to Senator WEBB and I know there were some reasons this got changed. He is, in fact, supportive of including this, because we have seen this skyrocketing unemployment rate, in part because of the economy, and we want to find every opportunity we can for our veterans to find work.

According to the VA, up to 10 percent of veterans use their Montgomery GI bill benefits for education other than college or graduate school, including for on-the-job training and apprenticeship programs. Through this legislation, post-9/11 veterans will be able to use their expanded benefits for the very same purposes. In Minnesota alone, there are over 50 such programs currently providing training and employment opportunities to veterans, including jobs in law enforcement, construction, engineering, and education.

I was at one of these institutions in Minneapolis this last week and met with some of our veterans, some of whom have done multiple tours in Iraq and one who was leaving in a few months, and they found it very helpful to return to these apprenticeship programs—some of which involve incredibly complex subjects—offering them the opportunity to learn those trades, and this will greatly help them so they can better afford these programs. By applying the new GI bill benefits they have earned toward these programs, veterans can acquire the skills and experience they need for success in the civilian workforce.

Last week, President Obama signed an Executive order creating a Council on Veterans Employment and directing each Federal agency and department to establish an office to focus on the hiring of veterans. Like the President, I am committed to ensuring that veterans have a path to stable employment when they leave the military.

One other piece of legislation I wish to mention, because I am hopeful it will be included in our health care reform, is the Veterans to Paramedics Transition Act which I introduced along with Senator ENZI. It helps returning veterans with medical training to pursue further education as paramedics. One of the things I found in our

State was that in rural areas of the country—rural areas of Minnesota, rural areas of Virginia, rural areas in Wyoming—there are not enough paramedics. Here we have these returning soldiers who are trained in this area, but for them to have to move again and to go through an entire 2 years of training can be very difficult. The idea is not to say no training is needed but to simply give them some credit; set up rules to make it easy for colleges to give them credit for that on-the-job training they had as paramedics in Iraq and Afghanistan. It involves two problems: the problem of returning veterans who don't have jobs, and the problem of the lack of paramedics in the rural areas. So we are very hopeful, with the help of Senator ENZI and Senator HARKIN, that we will be able to get this bill on the health care reform bill.

I look forward to working with my colleagues to pass not just the Veterans to Paramedics Act but also this bill we introduced last week to make it easier for veterans, when they come home—our soldiers—to choose if they want to go to a pipefitting program or to go to a law enforcement program. For those veterans, there will probably be 10 percent of them who don't feel at that moment that they want to pursue an academic degree, but they need a job.

Thank you, Mr. President.

I yield the floor, and I note 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. JOHNSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3082, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Johnson-Hutchison amendment No. 2730, in the nature of a substitute.

Udall (NM) amendment No. 2737 (to amendment No. 2730), to make available from Medical Services, $150,000,000 for homeless veterans comprehensive service programs.

Johnson amendment No. 2733 (to amendment No. 2730), to increase by $50,000,000 the amount available for the Department of Veterans Affairs for minor construction projects for the purpose of converting unused Department of Veterans Affairs structures into housing with supportive services for homeless veterans, and to provide an offset.

Franken-Johnson amendment No. 2745 (to amendment No. 2730), to ensure that $5,000,000 is available for a study to assess the feasibility and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities.

Inouye amendment No. 2754 (to amendment No. 2730), to permit $68,500,000, as requested by the Missile Defense Agency of the Department of Defense, to be used for the construction of a test facility to support the Phased Adaptive Approach for missile defense in Europe, with an offset.

Coburn amendment No. 2757 (to amendment No. 2730), to require public disclosure of certain reports.

Durbin amendment No. 2759 (to amendment No. 2730), to enhance the ability of the Department of Veterans Affairs to recruit and retain health care administrators and providers in underserved rural areas.

Durbin amendment No. 2760 (to amendment No. 2730), to designate the North Chicago Veterans Affairs Medical Center, Illinois, as the ''Captain James A. Lovell Federal Health Care Center.''

Johanns amendment No. 2752 (to amendment No. 2730), prohibiting use of funds to fund the Association of Community Organizations for Reform Now (ACORN).

Akaka amendment No. 2740 (to amendment No. 2730), to extend the authority for a regional office of the Department of Veterans Affairs in the Republic of the Philippines.

Menendez amendment No. 2741 (to amendment No. 2730), to provide, with an offset, an additional $4,000,000 for grants to assist States in establishing, expanding, or improving State veterans cemeteries.

DeMint (for Inhofe) amendment No. 2774 (to amendment No. 2730), to prohibit the use of funds appropriated or otherwise made available by this act to construct or modify a facility in the United States or its territories to permanently or temporarily hold any individual held at Guantanamo Bay, Cuba.

DeMint amendment No. 2779 (to amendment No. 2730), to prohibit the use of funds for the transfer or detention in the United States of detainees at Naval Station Guantanamo Bay, Cuba, if certain veterans programs for fiscal year 2010 are not fully funded.

Mr. JOHNSON. Mr. President, as we come back from the Veterans Day recess, the Senate resumes consideration of the MILCON–VA appropriations bill. As I have stated several times on the floor during this debate, this is a vital piece of legislation that needs to be passed as quickly as possible.

As I speak, the VA is operating under a stopgap funding measure. Funding the VA in that manner is far from ideal and interrupts planning and hiring at VA hospitals. The bill before the Senate today protects against this sort of problem in the future by providing $48.2 billion in advance appropriations for VA medical care. This is something that is supported by both sides of the aisle. In fact, this bill is one of the most bipartisan measures that we take up every year. That is why it mystifies me that we seem to be in a holding pattern.

One of the most critical parts of this bill is medical care for our Nation's vets. The VA is expecting to treat almost 6.1 million patients in fiscal year 2010, an increase of 2.1 percent over last year. Moreover, the Department estimates it will see the number of Iraq and Afghanistan war vets rise to 419,000 this year, a 61-percent increase in patient load since 2008. With these facts in mind, the bill targets the vast majority of discretionary funding for vets' medical care. The bill provides a total of $44.7 billion for medical care. Additionally, it provides $580 million for vital medical and prosthetic research. This is one of the many reasons why we need to get this bill passed and sent to conference as soon as possible.

In addition, hundreds of urgent military construction projects are on hold awaiting passage of this bill.

Under a unanimous consent agreement entered into last Monday, there are 27 amendments in order to this bill and one motion. As I understand it, we will soon be voting on one of the amendments and the motion to commit. Between now and the time of the vote, I wish to try to clear some of the other amendments that are in order to the bill. I have read all these amendments, and the vast majority are not controversial. It seems to me we should be able to clear them. If there are objections to any of these amendments, I urge my colleagues to come to the floor and express what objections they may have.

Taking care of our vets and our military troops and their families is one of the most important tasks of this body. Surely, we can all work together and pass this bill quickly.

AMENDMENT NO. 2781 TO AMENDMENT NO. 2779

Mr. JOHNSON. Mr. President, on behalf of Senator DURBIN, I send a second-degree amendment to the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for Mr. DURBIN, proposes an amendment numbered 2781 to amendment 2779.

Mr. JOHNSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment, add the following:

The provision of the amendment shall become effective 1 day after enactment.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEMIEUX. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEMIEUX. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GUANTANAMO PRISONERS

Mr. LEMIEUX. Mr. President, I am here to speak about the recent decision of the Obama administration to bring five terrorists allegedly responsible and who admitted being responsible for planning and executing the 9/11 attacks and having them tried in a criminal court in New York. This is the group of Khalid Shaikh Mohammed and four other alleged 9/11 plotters.

The reason I stand before you today is to ask you the question: Why? Why are we bringing enemy combatants, terrorists, to trial in a civil venue in New York? The decision of the Attorney General does not make sense to me. It is not sound in terms of our historical precedent for these types of hearings, and it puts our national security at risk for the future.

Criminal trials for terrorists are different and should be different than criminal trials of those who commit crimes in this country. After all, we afford our citizens who commit crimes the presumption of innocence. It is part of the bargain we have with our citizens, that we will not presume them guilty. We afford them rights—rights that are set forth in our Bill of Rights, rights that are guaranteed constitutionally. We do not guarantee these rights for people who are not U.S. citizens. More importantly, we do not guarantee these rights for terrorists who attack our country in an act of war.

Right now, we are fighting this war in two theaters—in Afghanistan and Iraq. These are enemy combatants. They are not U.S. citizens. They were not resident in the United States when they committed this crime.

I wish to go through the rights we afford the criminally accused in a normal prosecution in this country and show why they are not suited for a terrorist.

We extend the right to remain silent; the right to have that silence not used against you; the right to choose between a public trial before a judge or jury; the right to summon and compel the attendance of witnesses to testify on the accused's behalf; the right to a speedy trial; the right to see all the evidence collected against the accused; the right to learn how the evidence was collected; and the right to appeal not only the verdict but almost every ruling a judge performs in the case.

Why are we extending these rights to enemy combatants who killed nearly 3,000 innocents on 9/11 through an act of war? They did not wear a military uniform, and the planes they flew were not the planes of foreign countries with foreign flags. But there is no difference between the war we are in with them and wars we have had against other countries.

The precedent of what may happen when we afford these rights to these terrorists is not good. Former Attorney General Michael Mukasey talked about what happened when we tried terrorists in U.S. criminal courts. During the trial of Ramzi Yousef, the mastermind of the 1993 World Trade Center bombing, a part of testimony which we thought was innocuous at the time that came out in the public courtroom talked about the delivery of a cell phone battery. It tipped off the terrorists still at large that one of their communication links had been compromised. Mukasey said that link, which had been monitored by the government and provided enormous, valuable intelligence, was immediately shut down and lost in our war on terror.

Mukasey also noted that ''In the multidefendant terrorism prosecution of Sheik Omar Abdel Rahman, [also known as ''the Blind Sheik'' for his role in the 1993 World Trade Center bombings] . . . the government was required to disclose, as it is routinely in conspiracy cases,'' the names of the unindicted coconspirators, one of whom was Osama bin Laden.

We are giving information in these public trials, which were never meant for terrorism, which was never meant for people we are at war with, that may be used against us in a future terrorist attack.

Why are we doing this? What is the purpose? We have military tribunals to perform this function. This is not something new to this country. We have been using military tribunals since the time of George Washington. He used it during the American Revolution to deal with British spies. None other than Franklin Delano Roosevelt used them in World War II. We had eight German agents who sneaked ashore with the intent to plant explosives at railroad facilities and bridges. Roosevelt used military tribunals to try and convict those Germans who came across in World War II, and the Supreme Court upheld it. These military tribunals are not something new. They have to be done right. They have to give due process.

We used them against the driver of Osama bin Laden, and one of the charges was dismissed against him. So they are a fair process.

Why are we bringing the 9/11 terrorists to a criminal court in New York? These are not bank robbers. These are people with whom we are at war. Why are we affording them extra rights? Why are we affording them extra rights when the information that is revealed during the discovery process in Federal court may compromise our national security and lead to additional terrorist attacks? Why are we doing this? It doesn't make any sense to me. It defies history, and it is going to present and possibly provide future challenges to our national security.

Finally, let's think about what these trials are going to be like. We are giving these terrorists an international reality show where they are going to be able to have a platform each and every day to talk about their war against our country and our values. I wish to quote from David Brooks in his column in the Washington Post. He said:

> Terrorism is an act of propaganda. So now [Khalid Sheik Mohammed] gets to commit the original act of propaganda, which was the attack, and now he's going to have a long trial, an international reality show, which will be followed here, but more importantly, followed around the world. So he's getting a second bite of the apple at spreading his propaganda message.

What happens if because of all of the rights that are afforded to a person who is tried in a criminal court in the United States, what happens if because one of those rights and all of the presumptions there are against being found guilty, presumptions that we afford to our citizens because they are part of our constitutional democracy, what happens if Khalid Shaikh Mohammed, the mastermind of 9/11, is acquitted on a technicality? Then what? What are we going to do with him? Are we going to release him? Are we going to let him off on the streets in New York? I don't think so. Then we are going to hold him again. What does that say to the international community? He had a trial, he was acquitted, but we are still going to hold him because we think he is a threat. That is going to backfire on this administration.

In conclusion, I cannot understand why we are doing this. I cannot understand, when we have a historical precedent of a military tribunal that we have used since the time of George Washington, that we used during World War II, why we are going to bring these terrorists who killed or were responsible for killing nearly 3,000 innocents on September 11, why we are going to try them in Federal court as criminals and not understand what they truly are, which are terrorists with whom we are at war.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FEINGOLD. 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.

AMENDMENT NO. 2746 TO AMENDMENT NO. 2730

Mr. FEINGOLD. Mr. President, I ask unanimous consent to set aside the pending amendment so I can call up amendment No. 2746.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 2746 to amendment No. 2730.

Mr. FEINGOLD. I ask unanimous consent the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require reporting on alternatives to major construction projects related to the security of strategic nuclear weapons facilities)

On page 27, between lines 3 and 4, insert the following:

SEC. 128. (a) During each of fiscal years 2010 through 2014, the Secretary of Defense shall submit to the congressional defense committees a report analyzing alternative designs for any major construction projects requested in that fiscal year related to the security of strategic nuclear weapons facilities.

(b) The report shall examine, with regard to each alternative—

(1) the costs, including full life cycle costs; and

(2) the benefits, including security enhancements.

Mr. FEINGOLD. Mr. President, my amendment would enhance the security of our strategic nuclear weapons arsenal and help ensure that the Defense Department makes the best use of taxpayer dollars. I am pleased it has the support of the chairmen of both the Military Construction Appropriations subcommittee and the Armed Services Committee.

The amendment would require the department to submit an analysis of alternative designs for any major military construction projects to secure our nuclear weapons that it plans to initiate. GAO recently found that the Navy initiated two significant new projects without fully analyzing all of the alternatives. Therefore, we cannot be sure that we have found the safest and most cost effective means of protecting our nuclear weapons.

Ensuring the security of our nuclear materials and weapons is more important today that it has ever been. The Commission on the Strategic Posture of the United States recently concluded that the threat posed by the danger of terrorists accessing nuclear materials is greater than the threat that a foreign government would choose to use such weapons against us. Unfortunately, in the face of this new threat, our stewardship of our own arsenal has grown lax in recent years. All of my colleagues are aware of the serious breakdown in leadership which resulted in the unintentional shipment of nuclear-related intercontinental ballistic missile parts to Taiwan. They are likely also aware that a B–52 bomber flew across the continental United States mistakenly loaded with five nuclear warheads. These incidents led to the resignation of the Air Force Chief of Staff and Air Force Secretary. Just recently, a wing commander was relieved of command for substandard performance during several nuclear surety inspections at Minot Air Force Base. Clearly, this is an area that warrants sustained congressional oversight.

I recently wrote to the Assistant Secretary of Defense for Global Strategic Affairs, Dr. Michael Nacht, asking him to include in the Nuclear Posture Review an analysis of the ideal means to secure our domestic nuclear complex from a terrorist attack. Securing nuclear materials is not just about command and control—it is also about ensuring the physical security needed to ward off an attack. In 2008, the Department of Energy's Office of Independent Oversight conducted an evaluation, including a mock terrorist attack, of a U.S. lab that stores weapons-grade nuclear materials. The oversight office found that the lab's security program had significant weaknesses. In light of these numerous security incidents, Congress must step up its efforts to conduct oversight of our nuclear weapons complex.

This amendment is a small step in that direction. As the Defense Department completes the Nuclear Posture Review and stands up a new command in the Air Force to handle nuclear weapons, it is important that we send a message that we want a careful analysis of the best means to secure our nuclear weapons.

The Defense Department spends roughly a billion dollars annually on nuclear weapons security, including about $50 million annually on military construction. GAO recently found that ''the Navy plans to spend about $1.1 billion on security improvements to protect ballistic missile submarines while in transit, but selected one alternative without considering the full life cycle costs of the available alternatives.'' In particular, the ''Navy did not consider the military construction costs of building new facilities to support the new security measures. . . .'' In another case, the Navy interpreted DOD guidance as ''precluding the considerations of costs and benefits.'' This amendment will ensure that this does not happen again.

GAO also found that DOD occasionally cited costs ''as a criterion for deviations from security requirements.'' This amendment will ensure that the Department conducts a full cost benefit analysis and provides it to Congress. That way we can ensure that DOD is not deviating from security requirements unnecessarily for cost.

I urge my colleagues to support this amendment.

AMENDMENT NO. 2748 TO AMENDMENT NO. 2730

Mr. FEINGOLD. Mr. President, if I could, I would like to move on, set that amendment aside in favor of bringing up amendment No. 2748.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself and Mr. SANDERS, proposes an amendment numbered 2748 to amendment No. 2730.

Mr. FEINGOLD. I ask unanimous consent the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make available $5,000,000 for grants to community-based organizations and State and local government entities to conduct outreach to veterans in underserved areas)

On page 52, after line 21, add the following:

SEC. 229. Of the amounts appropriated or otherwise made available by this title, the Secretary shall award $5,000,000 in competitively-awarded grants to community-based organizations and State and local government entities with a demonstrated record of serving veterans to conduct outreach to ensure that veterans in under-served areas receive the care and benefits for which they are eligible.

Mr. FEINGOLD. Mr. President, this amendment would establish a pilot program to give grants to community-based organizations to conduct outreach for veterans. Many veterans are not aware of care and benefits available to them through the VA or need help navigating the VA bureaucracy to access those benefits.

The VA has recognized the need to conduct additional outreach to veterans but does not have the presence in certain underserved communities, including rural areas, to do so directly. This amendment would ensure the VA makes grants to organizations, including State and local governmental entities, that have a presence in the community and experience working with veterans.

This amendment is based on my Veterans Outreach Improvement Act, which I first introduced over 5 years ago. That bill has been endorsed by the American Legion; Veterans of Foreign Wars; Paralyzed Veterans of America; Vietnam Veterans of America; National Guard Association of the United States; Wounded Warrior Project; and the National Association of State Directors of Veterans Affairs. The companion bill has already passed the House.

The Senate Veterans Affairs Committee has endorsed the idea of a pilot grant program and has authorized the program in the pending Caregivers and Veterans Omnibus Health Services Act of 2009.

The amendment would set aside $5 million in funding for the grants. CBO has certified that the amendment has no score and is deficit-neutral.

The grants would be awarded on a competitive basis. A wide variety of groups could apply for the grants. State departments of veterans affairs could apply for the grants. In Wisconsin, the Department of Veterans Affairs runs a ''supermarket'' of benefits where veterans can come and learn about programs available to them through the VA. In the first several years of the program, over 10,000 Wisconsin veterans learned about VA programs for which they were eligible. If that many veterans in Wisconsin alone were unaware of these programs, you can imagine the need for greater outreach nationwide.

Other groups that may apply for grants include the county veteran service officers who are present in counties throughout most States. These individuals have a presence in many rural communities where the VA's presence is minimal. Rather than hiring contractors that know nothing about veterans issues to conduct outreach by phone to veterans, as the VA has done, this amendment would allow the VA to leverage existing expertise in the community. Both State and local governmental entities are currently conducting outreach notwithstanding the fact that this is a Federal responsibility. Given the current strain on State and local budgets, we cannot assume that they will continue to be able to offer these services.

Community-based nonprofits with experience working with veterans will also be eligible for the grants. These organizations may have special skills for working with underserved veterans, such as expertise in assisting those with mental disabilities.

Given the high number of service members returning from Afghanistan and Iraq, it is essential that we conduct outreach to these veterans now to ensure that they get the services they need from the VA. I urge my colleagues to support this amendment.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF DAVID F. HAMILTON

Mr. SESSIONS. Mr. President, I rise to share some thoughts about the Hamilton nomination in particular and some thoughts about the idea that judges can be subject to a filibuster. It is a matter that has been the subject of discussion in the Senate for a number of years. I wish to share with my colleagues how it all came about, where I think we are today, and why Mr. Hamilton does not deserve to be confirmed as a Federal judge.

I recognize he has many qualities, and I am not saying anything about him personally. But his approach to the law is unacceptable and is activist and evidences a philosophy that indicates he would not be serving under the law and under the Constitution but, as he has said, a judge is free to write footnotes to the Constitution. I don't think judges are empowered to write footnotes to the Constitution. According to their oath, judges serve under the Constitution. They don't get to amend it or footnote it, and they are not above it.

Back when President Clinton was in office, he nominated a number of judges who were activist. I voted for over 90 percent of his nominees. But I believed a number were activists, and I opposed them. There was much discussion about it. Nominees such as Marsha Berzon and Richard Paez I believed, were not going to be faithful to the law if confirmed. My instincts in that regard have been proven correct. This was in the 1990s.

Regardless, I remember then-majority leader Trent Lott, a Republican, moved for cloture on Berzon and Paez. We had votes. I and an overwhelming number of Republicans voted for cloture; that is, voted to bring up the nominees for a vote. Then a number of us voted against them. We didn't think they should be confirmed. But we didn't adhere to the view that filibustering was appropriate. That is when President Clinton, a Democrat, was in the White House.

Then, my Democratic colleagues in the Senate opposed filibusters and made all kinds of speeches against filibusters and against delaying votes.

Then President Bush, a Republican, got elected. In January, before he actually took office or about the time he took office, my Democratic colleagues had a retreat. At the retreat they met with legal scholars: Laurence Tribe, Cass Sunstein, and Marcia Greenberg. They advised them they should no longer follow tradition but should change the ground rules. In fact, they did so in a lot of areas. The New York Times reported that the decision at this meeting was about changing the ground rules on confirmations.

When President Bush started nominating judges, they were suddenly subject to filibuster—consistent, sustained filibusters, vote after vote. I believe there were 30 different cloture votes filed to move his nominees forward. That is what happened. We ended up with a series of nominees who were fabulous nominees President Bush had submitted, and they couldn't get a vote. Priscilla Owen, a member of the Texas Supreme Court, was given the highest possible rating by the ABA; Judge Bill Pryor, now Justice Bill Pryor from Alabama, a fabulous, brilliant nominee; Miguel Estrada; Janice Rogers Brown, an African-American woman who had been elected to the California Supreme Court and was a fabulous nominee. I remember her particularly since she had been born in Alabama. We couldn't bring them up for a vote. It went on and on.

Finally, the only thing that then-majority leader Bill Frist could do was to change the rules of the Senate to allow us to vote. He finally got the situation to the point that that appeared to be likely to occur.

It was at that point that the Gang of 14—seven Republican and seven Democratic Senators—got together and basically said: Too many nominees are being filibustered. We are abusing the filibuster rule, but we don't think we ought to eliminate the filibuster altogether, but only in extraordinary circumstances. If you really think this is not a good nominee who should not serve on the bench, vote no. But only if you strongly believe there is some serious flaws in this nominee's background, only then should you participate in a filibuster. It is legitimate if there is extraordinary circumstances. That is what they said.

A number of the judges got through. Several did not. There were 8 or 10 in controversy at that time for the circuit bench. Priscilla Owen, Bill Pryor, and Janice Rogers Brown were confirmed, but several others didn't make it from that group.

Now we have a Democratic President, and his nominees are coming up. Justice Sotomayor, whom he nominated to the Supreme Court, was a nice person, a capable person. She made some speeches that were troubling. We all analyzed that and studied that a good bit. What we concluded was—at least what I concluded, I think most of my colleagues did too—that while we may have serious doubts about whether she should be confirmed for the Supreme Court, we didn't think there were extraordinary circumstances that would justify a filibuster. So she was given an up-or-down vote. I voted against her nomination, but she was confirmed.

That is normally the way things have happened. Robert Bork's nomination failed on an up-or-down vote. Justice Clarence Thomas was confirmed on an up-or-down vote. However, President Bush's nominee for the Supreme Court, Justice Alito, was filibustered. He was a fabulous nominee who was so impressive in committee, almost as impressive as President Bush's other nominee, Chief Justice John Roberts. He should not have been filibustered, but he was. President Obama was one who led the filibuster and participated in it. But it failed, and Justice Alito was confirmed.

In 1997, when a Democratic President was in office and they were trying to move his nominees forward, Senator BOXER said:

> It is not the role of the Senate to obstruct the process and prevent numbers of highly qualified nominees from even being given a vote on the Senate floor.

That is being denied an up-or-down vote by filibuster. She opposed that. Yet when President Bush was nominating judges, she voted 35 times to block his nominees by filibuster.

During the Clinton administration, Senator SCHUMER said:

> I also plead with my colleagues to move judges with alacrity—vote them up or down. This delay makes a mockery of the Constitution, makes a mockery of the fact that we are here working, and makes a mockery of the lives of very sincere people. . . .

Senator SCHUMER later voted 34 times to keep President Bush's nominees from having an up-or-down vote, in other words, to filibuster his nominees.

Our distinguished chairman of the Judiciary Committee, Senator LEAHY, likewise made similar statements. I will not go into all of those, but I can do so. I can definitely state time after

time, Senator after Senator who opposed filibusters when President Clinton was sending nominees to the Senate led the filibusters against President Bush's nominees.

The Democrats have a clear majority in the Senate, 60 Members. Senator REID recently came to the Chamber to demand a time agreement for Judge David Hamilton's nomination to the Seventh Circuit Court of Appeals. Apparently, he was not happy that some of us wanted to have more debate about it. He said:

> We are going to do Judge David Hamilton [for the] Seventh Circuit, who has been waiting since April. We have agreed to time agreements. Do you want an hour, 2 hours, 5 hours, 10 hours of debate? No, we don't want anything.

He is speaking for the Republicans.

> They don't want a time agreement. This is so important that we will spend 2 days debating it if we can have a vote. But that is not good enough. No time is sufficient.

That is what he grumbled about. He has a lot on his plate. But Senator REID has a short memory. When Senator REID was in the middle of filibustering Priscilla Owen, a fabulous nominee, and Senator BOB BENNETT made a unanimous consent request that the Senate commit 10 hours to debating her nomination and then give her an up-or-down vote, Senator REID objected. When Senator BENNETT asked how much time would be sufficient for the nomination, Senator REID responded by saying:

> [T]here is not a number [of hours] in the universe that would be sufficient.

Later, Senator MCCONNELL sought a time agreement on Judge Owen. Senator REID responded by saying:

> We would not agree to a time agreement . . . of any duration.

Majority Leader REID voted 27 times to filibuster President Bush's nominees. There are a number of other statements I could cite that demonstrate how some of my Democratic colleagues have forgotten the factual record.

The truth is, my colleagues on the Democratic side fought against moving to cloture on 17 of President Bush's judicial nominees on 30 separate occasions. In doing so, they changed 214 years of Senate tradition. That is a fact.

I remember, as a new Member of the Senate, when President Clinton was in office. I believed the Senate should abide by those rules. I remember voting for cloture to move two nominations—Berzon and Paez. Although I voted against them, I did not support a filibuster. I did not think we should change the Senate tradition.

Once those debates started—colleagues will remember—it was a pretty hot debate. We believed strongly that there was no basis to block a lot of these nominees. The only thing these judges had in common was that they believed a judge should strictly apply the law, that they should be objective, that they should not allow their personal feelings to enter into their decision-making, or their empathies, and that they would be faithful to the law even if they didn't like the law. If it was passed by some legislature or the Congress, they ought to be enforcing it regardless of what they personally thought. They were not elected to make the law; they were elected to enforce the law. The American people agreed with that overwhelmingly.

One night we debated all night. We went all night long to try to encourage colleagues to give up on the filibusters. But they didn't. That is how we got the Gang of 14 came about and made the rule change.

So my Democratic colleagues are sort of suggesting, it seems to me, that it is somehow improper that on any nominee Republicans would demand they achieve a 60-vote margin to move to an up-or-down vote—what they have been doing time after time. I will just say if we allow that to happen, this is the effect of it. It would mean for a Republican President who nominates a judge to the bench, his nominee would have to get 60 votes in the Senate to be confirmed. But if a Democrat is in office, and Republicans are not able to filibuster, it would only take 51 votes to get them confirmed.

That is the kind of situation we are in. So the answer becomes, to me, pretty obvious, and I think to others on our side. We had a full debate. We had a real battle. We went on for several years. We debated the rules of the Senate, and the Senate, in effect, established a new rule. The new rule is, filibusters are legitimate, but only if there are extraordinary circumstances. I think that is not totally improper. I guess we are stuck with it. That is where we are, and I think that is probably where we are going to stay for a while.

So as we go forward today, we will be asking—maybe each of us—what ''extraordinary circumstances'' is. There is no exact definition of it. When is it appropriate to vote against cloture on a judicial nominee? What does ''extraordinary circumstances'' mean? Each Senator will make up their own mind. There is no firm definition.

In my view, Judge Hamilton is an example of a nominee who does fit the ''extraordinary circumstances'' standard for a number of reasons. It is difficult for Members on this side of the aisle to vote to end debate on a nominee as controversial as Judge Hamilton. Indeed, we have had no debate on him at all on the floor to date. No one on this side of the aisle has made a statement similar to the one Senator REID made about there not being enough time in the universe to debate the nominee.

If we look back and see how the decision was made on the nominees who came through when the rule was changed, maybe we can get some feeling for the appropriate way to view—based at least on what happened before—the meaning of ''extraordinary circumstances.''

As to Judge Bill Pryor, the Democrats forced three cloture votes. They blocked him three times. Many of my colleagues who are now arguing against a filibuster, saying Judge Hamilton should not be filibustered, did not hesitate to vote to block an up-or-down vote on Judge Pryor.

During his confirmation, then Alabama Attorney General Pryor was criticized because he had pro-life personal views, although he had a record of showing that he criticized an Alabama law, as attorney general, that was anti-abortion, when he felt it was unconstitutional. As attorney general, he said it was unenforceable. It was a close question, but the Supreme Court had ruled on it, and Bill Pryor said: I am a man of the law. Even though I am pro-life, I cannot enforce this law.

That was not good enough. They thought he, as a strong and practicing Catholic, was too religious. So now, if we look at Judge Hamilton—I am not sure what his religious beliefs are, and it certainly is not a matter that is important—but in Hinrichs v. Bosma, in the district court where he is a Federal district judge, in 2005, Judge Hamilton prohibited prayers in the Indiana House of Representatives that expressly mentioned Jesus Christ, saying they violated the Establishment Clause of the United States. Yet he would have allowed prayers which mentioned Allah. They had an imam pray at the legislature too.

Mr. President, I will wrap up.

In Grossbaum v. Indianapolis-Marion County Building Authority, he denied a rabbi's plea to allow a Menorah to be part of the Indianapolis Municipal Building's holiday display. The Seventh Circuit reversed him unanimously.

So I would ask, between the criticism of Judge Pryor and Judge Hamilton, who is out of the mainstream? Where is the extraordinary circumstance?

Then there was Priscilla Owen, some of my Democratic colleagues found extraordinary her dissents in close, split cases, dealing with parental consent. Judge Owen was concerned that a 16-year-old in Texas could get an aspirin at school without parental consent but, under Texas law, could have an abortion without any parental involvement. She voted to uphold the ruling of the lower court judge that parents should be at least notified before their daughters underwent an operation, and my colleagues did not like that.

Judge Hamilton, on the other hand, succeeded in blocking the enforcement of an Indiana informed consent law for 7 years. In reversing him, the Seventh Circuit noted that Judge Hamilton had abused his judicial discretion. The court of appeals said this:

> [F]or seven years Indiana has been prevented from enforcing a statute materially identical to a law held valid by the Supreme Court in Casey, by this court in Karlin, and by the Fifth Circuit in Barnes. No court anywhere in the country (other than one district judge in Indiana)—

They were talking about Judge Hamilton—

has held any similar law invalid in the years since Casey. . . . Indiana (like Pennsylvania and Wisconsin)—

According to the Court—

is entitled to put its law into effect and have that law judged by its own consequences.

So between the criticisms of Judge Owen and Judge Hamilton, which one is outside the mainstream?

Well, there are other issues we could talk about and will talk about as the debate goes forward. But I just wanted to share that to say I am not one who believes we should lightly oppose a nominee. I think they should be given some deference, whatever a Senator believes. I believe a President's nominee should be given deference. But we are not a rubberstamp. We are being asked to give this nominee a lifetime appointment. If they believe they have the power to frustrate legislative will and popular will, when what the legislature did is not in violation of the Constitution, they do not need to be on the bench. That is my view and I think a lot of others' view too.

The American people are unhappy with judges who believe they can allow their feelings, their empathies to cause them to render opinions that do not follow the law. The great American heritage is an objective view of the law, and the oath that a judge takes is to be impartial and to serve under the Constitution and the laws of the United States.

Because I am deeply troubled by Mr. Hamilton's record—not by his personal qualities, but his record and his speeches—I will be opposing the nomination and not voting for cloture.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Indiana.

Mr. LUGAR. Madam President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JUDGE DAVID HAMILTON

Mr. LUGAR. Madam President, I rise today to speak on behalf of Judge David Hamilton whom the President has nominated to serve on the U.S. Court of Appeals for the Seventh Circuit.

I first had the pleasure of supporting David Hamilton almost 15 years ago when he was nominated to the Federal district court. I said then that ''the high quality of his education, legal experience, and character well prepare him for this position'' and expressed my belief that ''his keen intellect and strong legal background will make him a great judge.'' This confidence in David Hamilton's character and abilities was shared by all who knew him regardless of political affiliation throughout Indiana's legal and civic communities.

I have known David since his childhood. His father, the Reverend Richard Hamilton, was our family's pastor at St. Luke's United Methodist Church in Indianapolis where his mother was the soloist in the choir. Knowing firsthand his family's character and commitment to service, it has been no surprise to me that David's life has borne witness to the values learned in his youth.

David graduated with honors from Pennsylvania's Haverford College, won a Fulbright Scholarship to study in Germany, and then earned his law degree at Yale. After clerking for the Seventh Circuit Court, David joined the Indianapolis office of Barnes & Thornburg where he became a partner and acquired extensive litigation experience in the Indiana and Federal judicial systems.

When our colleague, Senator EVAN BAYH, was elected Governor of Indiana, he asked David to serve as his chief legal counsel. Among other achievements in that role, David supervised the overhaul of State ethics rules and guidelines and coordinated judicial and prosecutorial appointments.

In the latter capacity, David worked closely with Judge John Tinder, then a President Reagan appointee to the district bench, whom President Bush recently appointed to the Seventh Circuit with the unanimous support of the Judiciary Committee and the full Senate.

When David was nominated to the district court, Judge John Tinder wrote to me that David was ''meticulous in asking the difficult questions of and about judicial nominees.'' He said his approach to these duties ''typifies the deliberate and sensitive way in which he approaches matters in his professional life.''

The same is true of David's approach to his judicial duties. Leading members of the Indiana bar testify to his brilliance and, as important, to his character, dedication, and fairness. Geoffrey Slaughter, president of the Indiana Federalist Society, also endorsed Judge Hamilton's nomination, saying:

I regard Judge Hamilton as an excellent jurist with a first-rate intellect. He is unfailingly polite to lawyers. He asks tough questions to both sides, and he is very smart. His judicial philosophy is left of center, but well within the mainstream.

His colleagues on the Southern District of Indiana bench—a talented and exceptionally collegial group from both parties—unanimously endorse that conclusion.

I recognize some of my colleagues do not share this view. Specific charges have been levied that Judge Hamilton has used his position on the Federal courts to drive a political agenda. I believe a closer look at his record will reveal that Judge Hamilton has not been a judicial activist and has ruled objectively and within the judicial mainstream.

Upon receiving a letter from my good friend and colleague, the ranking member of the Senate Judiciary Committee, I asked Indianapolis attorney and former Associate Counsel to President Ronald Reagan, namely, Peter Rusthoven, to review concerns raised regarding David Hamilton's nomination.

Judge Hamilton has been criticized for a speech delivered in 2003 when he cited that judges ''write a series of footnotes to the Constitution.''

It has been suggested that this comment is evidence of a judicial activist philosophy. However, Judge Hamilton never wrote that judicial decisions are an appropriate means to change the Constitution. The footnotes comment means simply that judicial decisions illustrate how the Constitution applies to particular circumstances. For example, Chief Justice Marshall's seminal Marbury v. Madison decision, establishing judicial authority to pass on the constitutionality of actions by the political branches, illustrates a vital aspect of how the Constitution applies, but does not assert judicial power to amend the Constitution, much less based on a judge's personal views.

Another charge levied is that Judge Hamilton prohibited public prayers involving Jesus Christ but allowed prayers invoking Allah. However, Judge Hamilton did not say, as some suggest, that prayers in the Indiana Legislature ''Allah'' as the Muslim deity were permissible while prayers to Jesus Christ were not. He in fact said that using Allah as a generic reference to the deity could theoretically be permissible in nonsectarian prayer, as would be true of using the word for God in any language. Judge Hamilton was clear that legislative prayer advancing the religion of Islam would be prohibited. I support a more permissive approach to public prayer than Judge Hamilton, but clearly his ruling comports with Supreme Court authority. As Justice Antonin Scalia explained, government-sponsored endorsements of religion are sectarian if they ''specify details upon which men and women who believe in a benevolent, omnipotent Creator and Ruler of the world are known to differ, for example, the divinity of Jesus Christ.''

Also contrary to certain charges, Judge Hamilton's ruling on the issue was not reversed. The Seventh Circuit's later reversal did not involve the merits, but the separate, procedural issue of whether the taxpayer plaintiffs had legal standing to challenge the legislative practice. In this case, a subsequent Supreme Court ruling created a new precedent which led to the reversal.

A similar reversal situation occurred regarding an effort to compel local officials to include a Menorah as part of a holiday display in the Indianapolis City-County Building. The Seventh Circuit opinion by Reagan appointee Judge Ripple makes this point in its opening paragraph, saying Judge Hamilton's ruling had been made ''without the benefit of the Supreme Court's recent guidance in this area.''

There have have also been claims, citing the Almanac of the Federal Judiciary, that Judge Hamilton is one of the most lenient judges in his district in criminal matters. However, the Almanac cited extraordinarily high

praise for Judge Hamilton. The Almanac summary states: ''Hamilton is fair when it comes to sentencing, according to lawyers.'' Practitioners consistently stated that he is objective and shows no bias.

In demonstrating this alleged leniency, critics have cited a case in which Judge Hamilton ''used his opinion to request clemency for a police officer who pled guilty to two counts of producing child pornography.'' Judge Hamilton in fact imposed the 15-year sentence required by sentencing guidelines even though he believed it excessive in the circumstances. Doing what the law requires even when a judge may personally disagree is a textbook example of judicial restraint. Further, there were, indeed, circumstances in the case that might properly be considered in a later executive clemency request, which is all that the unpublished decision was pointing out. In other cases with different circumstances, Judge Hamilton has imposed rigorous sentences for child pornography as long as 100 years.

Critics also point to another case in which they argue that Judge Hamilton disregarded an earlier conviction in order to avoid imposing a life sentence on a repeat offender. In this particular case, Judge Hamilton made a mistake and has admitted it. Judge Hamilton initially imposed a 25-year sentence for drug and firearms offenses on a 55-year-old man taking into account a 10-year-old prior conviction. The issue was whether the sentence should be further enhanced based on a 35-year-old prior conviction on marijuana charges under the now repealed Federal Youth Corrections Act. Judge Hamilton now believes the Seventh Circuit was correct to apply a sentence enhancement, and he imposed a life sentence on remand.

Another complaint is that Judge Hamilton used his position to purposely delay enforcement of Indiana's informed consent abortion laws for 7 years. Judge Hamilton's analysis in the Indiana case differs from my own, but his actions were defensible in the context of what lower courts must do in the field of abortion law jurisprudence.

As those who believe Roe v. Wade was fundamentally mistaken would argue, ''undue burden'' issues of the sort Judge Hamilton and the Seventh Circuit wrestled with in the Indiana litigation are an unfortunate, inevitable consequence of what Justice Scalia has called the Supreme Court's continued effort to craft an ''abortion code'' without grounding in the text of the Constitution. Hence, it is hardly surprising that jurists will come out on different sides of undue burden inquiries. They necessarily entail judges weighing what is or is not undue by a standard that is unguided by any constitutional language. The Supreme Court itself continues to struggle to articulate tests that will elucidate this matter of law.

One illustration of that point is that five members of the full Seventh Circuit—including Judge Posner, a Reagan appointee—voted to grant rehearing en banc of the 2–1 decision reversing Judge Hamilton's ruling. Further, even in reversing, the Seventh Circuit did not hold that Judge Hamilton's fact findings were ''clearly erroneous,'' which is the pertinent appellate review standard on evidentiary questions.

The delay assertion unfairly ignores that the delay was due in very large part to litigation decisions made by the State of Indiana itself. Judge Hamilton's preliminary injunction decision in 1995 was immediately appealable by the State as a matter of right; but the State chose not to appeal. The same was true of Judge Hamilton's 1997 decision modifying that injunction; again, the State chose not to appeal. Thereafter, the State as well as the plaintiffs sought continuances of the trial, including to permit further discovery on complex statistical issues that are an aspect of the undue burden analysis. The notion that Judge Hamilton was in any way trying personally to delay the case, whether based on his personal views on any issue or for any other reason, is unfounded.

Allow me to close with a few further thoughts on our nominations process. When I introduced now Chief Justice John Roberts to the Senate Judiciary Committee in 2005, I expressed my concern that the Federal judiciary is seen by many as another political branch. The confirmation process is often accompanied by the same oversimplifications and distortions that are disturbing even in campaigns for offices that are, in fact, political. This phenomenon is most pronounced at the Supreme Court level, and traces to several causes that I will not try to address today. I mention this, however, to underscore my commitment to a different view of judicial nominations, which I believe comports with the proper role of the judiciary in our constitutional framework.

I do not view our Federal courts as the forum for resolving political disputes that the legislative and executive branches cannot, or do not want to, resolve.

This is why I believe our confirmation decisions should not be based on partisan considerations, much less on how we hope or predict a given judicial nominee will rule on particular issues of public moment or controversy. I have instead tried to evaluate judicial candidates on whether they have the requisite intellect, experience, character and temperament that Americans deserve from their judges, and also on whether they indeed appreciate the vital, and yet vitally limited, role of the Federal judiciary faithfully to interpret and apply our laws, rather than seeking to impose their own policy views. I support Judge Hamilton's nomination because he is superbly qualified under both sets of criteria.

Finally, permit me to thank my colleague from Indiana, Senator EVAN BAYH, on the thoughtful, cooperative, merit-driven attitude that has marked his own approach to recommending prospective judicial nominees from our State. The two most recent examples are his strong support for President Bush's nominations of Judge Tinder for the Seventh Circuit and of Judge William Lawrence for the Southern district of Indiana.

Thank you for this opportunity to express my support for Judge David Hamilton. I am hopeful that my colleagues will vote tomorrow to end debate on this important nomination.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON. I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will so state.

Mr. JOHNSON. How much time is remaining on both sides?

The PRESIDING OFFICER. On the minority side, 16½ minutes; on the majority side, 46½ minutes.

Mr. JOHNSON. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. JOHNSON. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOTION TO COMMIT

Mr. COBURN. Madam President, I know we are going to vote at 5:30 on an amendment and on a motion to commit. I send a motion to commit to the desk at this time.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] moves to commit the bill H.R. 3082 to the Committee on Appropriations of the Senate with instructions to report the same back to the Senate with changes to reprioritize spending within the bill in order to provide sufficient funding to ensure coverage of medically necessary care and payment of caregivers for disabled veterans, including but not limited to those who fought in World War II, the Korean War, the Vietnam War, Operation Desert Shield, Operation Desert Storm, Operation Enduring Freedom, Operation Iraqi Freedom, and any combat zone in the War on Terrorism, and that such funding for veterans' assistance should be paid for with reductions in spending for earmarks for less urgent projects and other unnecessary programs not requested by the Commander in Chief.

Mr. COBURN. Madam President, I think under the agreement I will have 30 minutes to discuss this and the other amendment I have; is that correct?

The PRESIDING OFFICER. Without objection, the Senator may consume 30 minutes.

Mr. COBURN. I thank the Chair. I will try not to consume that amount of time to move this along.

Last weekend, the Senate, prior to Veterans Day, had the urgency of passing a bill that will, in fact, help a specified group of veterans, but it won't help veterans who have identical needs to that group of veterans because they were excluded from it.

The Caregivers Act also will require, at a minimum, $3.7 billion in spending over the next 5 years, and none of it—there was no decision to make in terms of that bill on any priorities about what we get rid of. As a matter of fact, the intent, as stated by the majority whip, was that we needed to pass this before last Wednesday so that people could get care. Well, the truth is, no care will come about if there is no money in this bill for that program.

The whole purpose for this motion to commit is to do two things: One, send the committee back and eliminate the discrimination against veterans in the first gulf war, against veterans in the Vietnam war, the Korean war, and World War II who have identical needs that require family caregivers and include them in it. The second aspect of the motion to commit is to find it from the available funds we have today. We suggest some opportunity for that but don't mandate where it comes from. But we should reduce spending somewhere else to pay for this. The reason that is important is, this past year, 43 cents out of every dollar we spent we borrowed from our grandchildren.

So in making a motion to commit this bill, we are doing three essential things. No. 1 is that we are actually being truthful that we really want to take care of this need and will do it in this fiscal year. No. 2 is that we are not discriminating against other veterans who have identical needs. No. 3 is that we are not discriminating against our children and grandchildren by not making hard choices to pay for it within existing funds.

I have no illusions that this motion to commit will succeed. But it doesn't change the very real facts that are in front of this Nation—that we cannot continue to spend money without making choices about what is most important. None of us disagree that taking care of those who have sacrificed for us has to become No. 2 behind the defense of this Nation in terms of the priorities for this country. Nothing else is higher in priority. Yet the bill we have before us doesn't make that a priority and the authorizing language doesn't make that a priority. As a matter of fact, the bill before us asks the VA to study this issue rather than actually go on and fund this issue by making the appropriate changes.

There is a significant increase in this bill, and outside of foreign expenditures, it is over 5.5 percent. It is not objectionable that it would be there, that kind of increase, given the demand our troops have had and their injuries and what they have suffered in terms of defending this country and fighting two ongoing wars. However, some of that money ought to be winnowed down so that we can take care of the very people who protect us.

We have had these tremendous speeches on why we have to do it now. If those speeches aren't going to ring hollow, we ought to commit the bill to make sure we have money for the Veterans Caregiver Act.

AMENDMENT NO. 2757

The other area I wish to spend time on is that in this bill we also have various and sundry reports that have been requested by the committee of different branches of the Federal Government. One of the most important ways to build trust in the Congress today is for us to create and increase the level of transparency for the American people to see our actions. This amendment is simply an amendment that says any reports that do not divulge or put at risk national security data should be made available to all the Senators, all the Congress, and all of the American people. This has been in several of the appropriations bills we have passed in the Senate. Unfortunately, rarely has it stayed in the conference report because there are those who don't want the American people to see what we are doing and how we are doing it.

I will sum up. We find ourselves in a big pickle right now as a nation. We soon will be voting in this body to increase the debt limit to $12.1 trillion. That figures out as a significant amount of money for every individual in this country—well over $35,000—but it is a very small amount compared to what is getting ready to happen in the next 9 years as our debt triples. Our debt will triple in the next 9 years, which means we will go from 30-some thousand dollars per individual to very close to $100,000 per individual.

That doesn't compare to the unfunded liability. If you take everybody in this country who is 25 years of age and younger—that is 103 million Americans—and you ask what is the consequence to those young Americans 20 years from now, the consequence is that they are going to be paying for another $1 million in debt for which they got no benefit, and the interest costs on that alone will be over $70,000 per year, per individual under age 25 today and under 45 20 years from now and all their kids.

The idea that we ought to pay for the new things we do by eliminating the things that aren't important, that we ought to pay for the new things we do by eliminating some of the $300 billion worth of waste, fraud, and duplication in the Federal Government every year is not a novel idea outside Washington; it is only a novel idea inside Washington—the very fact that the next generation will be put at a disadvantage because we lack the same courage and clarity of moral character our troops have in terms of making tough choices.

My hope is that with the motion to commit, in fact, the body will look and say we really can fund this and find waste and we can make choices about what is most important versus what is not most important, and not only will we help the veterans who are deserving of our assistance at this time, but we will also help the veterans' children and grandchildren by not plugging a credit card in and saying: Whatever we are going to do for veterans today, we are going to charge to you.

Instead, I hope that we are going to carry the load and that we are going to embrace the heritage of our country, the heritage of sacrifice and of creating opportunity that is better for the generations that follow than the opportunities that were given to us. That is not happening right now in our country. We are going to have a larger deficit next year than we have this year. We are going to take 43 cents out of every dollar we actually spend next year and we are going to charge that all to those two generations that follow us. That is not what made this country strong. That is not what our veterans fought for. That is not the country they want to see in the future. It is time we made some hard choices.

The resistance will be: I don't want to eliminate my earmark; I don't want to eliminate the parochial things I have done for my State to take care of veterans. They will not come out and say that, but that will be the result of the vote. The vote is, take care of the politicians, say you are taking care of the veterans, but undermine the future of the next two generations. That is what the vote is going to be about on the motion to commit—a lot of controversy and emotion associated with not doing things on time. But I would rather do things right and do things that will secure the future rather than destroy it. I would rather do things that honor the sacrifice rather than dishonor the sacrifice.

We can claim all we want when we pass a veterans caregiver bill, but if we don't fund it and there is no money for it, it is an announcement that we care but no action behind it. If we don't cover all the veterans who have the same need, we know it is political only. The motion to commit makes sure that we cover all veterans, that we treat them all equally, and if they have the same kinds of needs, they will get the same kinds of service—not because they are young and served in the war on terror but because they served this great Nation and preserved it with their courage, valor, and commitment.

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. JOHNSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON. Madam President, I ask unanimous consent that no amendments be in order to the Coburn amendment or motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON. Madam President, the MILCON–VA bill before the Senate today funds critically important programs for our Nation's military forces and their families and for our vets. Most of the funding was requested by the President, but certain programs were enhanced or augmented by the committee after careful consideration and evaluation of the budget request. Let me give two examples of the funding in this bill that was not requested by the President that would be stripped out under the mandate of the motion to commit: $50 million for community-based outpatient clinics for vets in rural areas underserved by VA medical centers. These clinics serve as medical lifelines for vets in rural areas who do not have ready access to a VA Hospital.

There is $50 million in a pending amendment to renovate excess buildings on VA medical campuses for homeless vets shelters and services. An estimated 131,000 vets are homeless on any given night. Secretary Shinseki has made it a priority to eliminate homelessness among vets, and this bill supports that effort.

There is $300 million to complete the funding requirement for the expanded Homeowners Assistance Program for military personnel, to protect military families under orders to move during the current mortgage crisis from disastrous losses on home sales and to shield wounded warriors and surviving spouses from the financial ravages of the mortgage crisis.

There is $7.5 million for a chapel center at Dover Air Force Base, DE, to replace a wood-frame chapel built in 1956. The existing chapel has asbestos in the ventilation system, the roof is too unstable for maintenance personnel to walk on, and the Chaplain Command has rated the current chapel as the worst in the command. Yet this decrepit facility serves as the primary site for hosting families waiting to view the dignified transfer of the fallen from the wars in Iraq and Afghanistan. This project was not included in the President's budget request but was added by the committee.

These are but a few examples of the types of programs and projects funded in the bill that were not requested by the President. They are not, as this motion would suggest, less urgent or unnecessary simply because they were not requested by the President. They are the product of careful analysis and evaluation by the committee of jurisdiction and developed in close consultation with the authorizing committees.

I urge my colleagues to support the committee-passed version of the MILCON–VA bill and reject the motion to commit it to the committee.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Madam President, I know my colleague, the chairman of the Veterans Affairs and Military Construction Subcommittee, has already spoken on the bill. I rise to make a couple of points.

First, I thank the Senate for not meeting on this bill last Tuesday, when it was scheduled to be taken up and passed and, instead, allowing so many of our colleagues to go to the memorial service at Fort Hood in Killeen. It was a wonderful service. So many of our colleagues were in attendance from all over the country to show their support for the troops, to show sympathy for the families. There were approximately 200 family members there. Of course, the President and Mrs. Obama were there. There were many House Members. It showed to the base and to the thousands of troops who attended how much we care about them. I am grateful to my colleagues for that gesture.

We have a good bill. My colleague Senator JOHNSON and I have worked together on this bill. We have stayed within our budget. We have tried to make sure we are covering the needs of our veterans.

The emphasis in the veterans section is in health care. We know we must do more for the mental health and getting people who have been in Afghanistan or Iraq back into the mainstream so they can lead normal lives. We have done that. We have put over $4 billion into mental health funding. We are setting up centers now for mental health excellence. I am pleased we are making that a priority.

In addition, spinal cord and traumatic brain injuries. We know so many of our wounded soldiers suffer traumatic injuries. We need to make sure we have the ability to give them all of the rehabilitation necessary for them to reenter a life of quality. We are adding one more tier 1 polytrauma center. We have four. We are adding one more in San Antonio, TX, in the VA center, which we are very pleased to be able to do.

The homeless veterans program is also being augmented in this bill, and I applaud Senator JOHNSON's efforts for creating the initiative last year to increase the VA footprint in our rural areas for our health care facilities. I think this is very helpful and warranted.

On the military construction side, this morning I was at Dyess Air Force Base, where we broke ground on two incredible facilities. One will be a maintenance facility for both the B–1 bombers and also the C–130s and new C–130Js that are going to be coming into our system next year. It is going to be a great facility, and we are very excited about that. We have a Reserve training headquarters there at Dyess, as well, and we broke ground on that building today.

In addition, our BRAC has been fully funded. That was a priority of mine because I thought it was very important we fully fund our BRAC.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. Thank you, Madam President. I wish to go ahead to the vote because I know it is important. But I will just say, I fully support our bill and look forward to working on the amendments and passing this bill, finally, tomorrow.

AMENDMENT NO. 2757

The PRESIDING OFFICER. There will now be 2 minutes of debate, evenly divided, on Coburn amendment No. 2757.

The Senator from South Dakota.

Mr. JOHNSON. Madam President, I support the amendment from the Senator from Oklahoma, amendment No. 2757, disclosure of reports. Our side was willing to agree to this amendment by unanimous consent or voice vote.

I urge my colleagues to support this amendment.

I yield back my time.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I also support this amendment. I think the reporting requirements are absolutely the right thing to do.

Madam President, I yield back the rest of my time and ask for the vote to commence.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Delaware (Mr. KAUFMAN), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. KAUFMAN) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 344 Leg.]

YEAS—93

Akaka	Durbin	McConnell
Alexander	Ensign	Menendez
Barrasso	Enzi	Merkley
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murkowski
Begich	Franken	Murray
Bennet	Gillibrand	Nelson (NE)
Bennett	Grassley	Nelson (FL)
Bingaman	Gregg	Pryor
Bond	Hagan	Reed
Boxer	Harkin	Reid
Brown	Hatch	Risch
Brownback	Hutchison	Roberts
Bunning	Inhofe	Rockefeller
Burr	Inouye	Sanders
Burris	Johanns	Schumer
Cantwell	Johnson	Sessions
Cardin	Kerry	Shaheen
Carper	Kirk	Shelby
Casey	Klobuchar	Snowe
Chambliss	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Tester
Collins	Lautenberg	Thune
Conrad	Leahy	Udall (CO)
Corker	LeMieux	Udall (NM)
Cornyn	Levin	Voinovich
Crapo	Lincoln	Warner
DeMint	Lugar	Webb
Dodd	McCain	Wicker
Dorgan	McCaskill	Wyden

NOT VOTING—7

Byrd	Kaufman	Whitehouse
Graham	Lieberman	
Isakson	Vitter	

The amendment (No. 2757) was agreed to.

Mr. JOHNSON. Madam President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MOTION TO COMMIT

The PRESIDING OFFICER. There are now 2 minutes evenly divided on the Coburn motion to commit.

The Senator from Oklahoma is recognized.

Mr. COBURN. Madam President, this motion to commit is based on the fact that we have a need among veterans that has an upcoming authorization bill but there is no money in this bill for it. The motion to commit would instruct the conferees to expand those eligible to all veterans who have the same need, to find the money to pay for the first year of this in that bill and not charge it to the next generation.

The idea behind the motion to commit is that our veterans are a priority, and if they are, we ought to defund things that are less of a priority and make sure we take care of them. The obligation for us to fulfill our commitment to veterans is not obviated by the lack of our obligation to fulfill our commitment to the generation that follows.

I would appreciate the support of my colleagues on the motion to commit.

The PRESIDING OFFICER. Who yields time on the motion? The Senator from South Dakota.

Mr. JOHNSON. Madam President, as I have indicated before, I strongly oppose the motion to commit this bill with instructions.

This bill funds programs that are vitally important to America's military troops and their families and to our Nation's veterans. Most of these programs were funded in the budget request but not all. This bill includes additional funding for such programs as housing for homeless veterans, rural clinics for veterans in underserved areas, mortgage relief for military personnel under orders to move during the current mortgage crisis, and for wounded veterans and surviving spouses and funding for an array of regionally needed military construction projects not included in the budget request.

The MILCON–VA bill before the Senate is a good piece of legislation. Likewise, the veterans caregiver assistance authorization bill is important legislation. The two bills should not be confused. Congress should pass both the MILCON/VA appropriations bill and the caregivers assistance authorization bill without further delay.

Madam President, I yield the floor.

Mr. COBURN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mrs. SHAHEEN). Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Delaware (Mr. KAUFMAN), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. KAUFMAN) would vote ''nay.''

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), and the Senator from Louisiana (Mr. VITTER).

The result was announced—yeas 24, nays 69, as follows:

[Rollcall Vote No. 345 Leg.]

YEAS—24

Barrasso	Crapo	LeMieux
Bayh	DeMint	McCain
Brownback	Ensign	McCaskill
Bunning	Enzi	McConnell
Burr	Grassley	Risch
Chambliss	Hutchison	Roberts
Coburn	Johanns	Sessions
Cornyn	Kyl	Thune

NAYS—69

Akaka	Corker	Kohl
Alexander	Dodd	Landrieu
Baucus	Dorgan	Lautenberg
Begich	Durbin	Leahy
Bennet	Feingold	Levin
Bennett	Feinstein	Lincoln
Bingaman	Franken	Lugar
Bond	Gillibrand	Menendez
Boxer	Gregg	Merkley
Brown	Hagan	Mikulski
Burris	Harkin	Murkowski
Cantwell	Hatch	Murray
Cardin	Inhofe	Nelson (NE)
Carper	Inouye	Nelson (FL)
Casey	Johnson	Pryor
Cochran	Kerry	Reed
Collins	Kirk	Reid
Conrad	Klobuchar	Rockefeller
Sanders	Specter	Voinovich
Schumer	Stabenow	Warner
Shaheen	Tester	Webb
Shelby	Udall (CO)	Wicker
Snowe	Udall (NM)	Wyden

NOT VOTING—7

Byrd	Kaufman	Whitehouse
Graham	Lieberman	
Isakson	Vitter	

The motion was rejected.

Mr. JOHNSON. Madam President, I move to reconsider the vote.

Mr. PRYOR. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Madam President, I ask unanimous consent to be allowed to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL AWARD ACT 30TH ANNIVERSARY

Mr. BARRASSO. Madam President, today I rise to recognize the 30th anniversary of Public Law 96–114, which is the Congressional Award Act. My predecessor, Senator Malcolm Wallop of Wyoming, was a champion of this program.

In 1979, the late Congressman James Howard of New Jersey and Senator Wallop introduced the Congressional Award Act legislation.

Thirty years ago, as you recall, America was still living with the Cold War. The country was in the middle of a serious national conversation, one that would require America's young people to participate in a period of national service. It was a controversial concept, in part because the country had eliminated the armed services draft. Legislation to establish the congressional award had been introduced in Congress for several sessions, but no action had yet been taken. When Senator Wallop was approached as someone who might have an interest, he quickly understood and embraced the core of the program.

Our Nation's young people have worthy contributions to make to the world around it, he thought and he said, and the process required to earn an award was a productive path to determine their future. Senator Wallop felt that if America was thinking about requiring national service, then Congress should recognize and thank America's youth for their positive contributions made through the course of their own lives. He saw the congressional award as the perfect opportunity to do this.

When Senator Wallop agreed to serve as a sponsor of the congressional award, he made it a full commitment. The legislation quickly moved through

Congress, and it became law in his very first term of the three terms he spent in the Senate.

The congressional award is available to any young person in our country aged 14 to 23, no matter their life circumstances or their current abilities. Through goal setting, participants move from where they are to where they can be, providing service to others and exploring their own interest in the process.

Recipients of the award are not selected for it. The recipients of the award earn it. It has been my privilege to witness the success of this program both in my home State of Wyoming and around the country. I thank all of the Members of Congress who are involved in the congressional award in their own States and districts. I encourage those who have not yet done so to bring this program to their young constituents. And most of all today, I thank our former colleague, Senator Malcolm Wallop, for his gift—a gift of opportunity for America's young people through the creation of a congressional award, an award that was signed into law 30 years ago today.

Madam President, 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. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. BROWN. Madam President, I have come to the Chamber pretty often in the last 3 months, as we continue the debate on health care, to share letters from people from Ohio, from Steubenville, from Wauseon, from Ashtabula, from Hamilton and Middletown, people who write me concerned with the direction of our health care system.

What I find in almost every one of these letters that have come from Ohioans and people I mostly don't know, although I hear these stories in person—last night I heard them in Cleveland, a few days in Columbus; I have heard them from all over the State—is that so many people, a year ago, if you had asked these same people who wrote the letters, are you happy with your health care plan, they would have said yes. But something happened in the last year.

Maybe they had a child born with a preexisting condition. Maybe they got really sick and their insurance was canceled because it cost the insurance company too much money or their premiums were high or they owned a small business with 20 employees and one of their employees got especially sick and the insurance price spiked and they could no longer afford the insurance for any of their 20 employees.

The other thing I hear over and over is—a lot of people who send me letters who have lost their insurance, they are my age or a little bit older. I turned 57 last week. These are letters from people who are 57 or 62, particularly in their early sixties. They say it is so important to them to turn 65 so they will have insurance. Think of that: I can't wait until I am a little older so I can then have the security and peace of mind and put that anxiety behind me. We have a health care system now where people think they want to be a little bit older so they can qualify for Medicare, to have the stability of Medicare. Something is wrong with that. Those are the two things I hear over and over: I need to be 65 so I can get Medicare because I know it is reliable and stable or I used to be satisfied with my insurance but look what happened.

Let me share some of these letters. Karen from Mahoning Valley, around Youngstown, Poland, Austintown, that area of Ohio. She writes:

> I am a high school art teacher. Last week I was speaking to one of my students who said she had a health issue. I suggested she go see a doctor but she said she can't because her family doesn't have health insurance. I have suggested she at least go see the school nurse but I know she needs regular visits to a physician. I am appalled at the lack of concern shown by many Members of Congress and by the special interests trying to control the health reform process. Please make the changes for the people who elected you and reap the benefit of seeing positive change in our country.

Do you know what will happen? I don't know the student's health problem, but what people would say about this is, if her student gets sick, she can go to the emergency room and get health care. But that is not the best way to deliver health care. But forget about the best way to deliver it. What happens to the student? Maybe the student has asthma. My wife almost died of asthma when she was a teenager, but she had good health insurance because her dad carried a union card and worked for a local utility company and was able to make sure she got the care she needed. This young woman, say she had asthma. She would only get coverage in the emergency room if she had an asthma attack. She wouldn't get any help from the emergency room to manage her asthma or any of the medicines she needs for asthma or any of the kinds of things my wife's insurance pays for for her asthma and so many others who have insurance. So what we are doing is jeopardizing this girl's life and her health, and we are also costing the system more money because instead of managing the asthma, she has to go for acute care.

So the emergency room does not mean everybody has health care coverage in this country. It means they will take care of you if you are really sick and you have some acute attack of something. They will not take care of you to manage your diabetes or manage your asthma or manage your heart disease. They only take care of you—the emergency room—when you have a heart attack, if you are uninsured. What kind of health care system is that? It is not as humane as it should be, and it is way more expensive and it jeopardizes people's lives.

Margaret is from Clermont County, the whole other end of the State. Clermont County is on the Ohio River, just east of Cincinnati, Batavia, that part of Ohio.

> My oral cancer was diagnosed in 2005. It came back in December 2007, September 2008, and February 2009.
>
> We've been lucky and found it early each time, which allowed me to avoid radiation therapy—so far.
>
> I worry all the time that eventually I won't be able to work and would lose my health insurance.
>
> My husband will retire in 2011, when he qualifies for Medicare. But I'm only 61 and have to wait four years before enrolling in Medicare.
>
> I don't understand how opponents of reform can be unsympathetic to the plight of millions of people who have preexisting conditions or have to lose everything to qualify for Medicaid.
>
> We need reform now.

So here is another example. Margaret from southwest Ohio says: I am 4 years away from Medicare. My husband can retire and get Medicare. I am still 4 years away. What are my options? Do we spend everything we have—basically spend whatever their net worth is—to qualify for Medicaid, which is available to many low-income people, or do I just hope my cancer does not act up again before I turn 65? But again, she needs maintenance of care, some medication to help her so she can make it through this time.

Margaret, as Karen's student and Karen's student's family, could benefit from a public option because it would give them more choice.

In Clermont County in southwest Ohio, two insurance companies have 85 percent of the insurance business in that area, that, I believe, four county area: Hamilton, Clermont, Butler, and Warren Counties. Two companies have 85 percent of the business. That means the quality of insurance is less and the cost of the insurance is more. That always happens when there is no real competition. So that is why it is so important people have the public option, so Margaret can get insurance, she can choose the public option or she can choose Aetna or WellPoint or Cigna or Medical Mutual—any company she wants.

But it also means the public option will keep the price down because more competition means better quality; more competition means keeping the price down. As the Presiding Officer, the Senator from Oregon, said in a meeting I was just in, one of the things the public option does is—we tell people: You need to get insurance. There are a number of people who, I am sure, have come up to him in Eugene or Portland or places in Oregon, as they have come up to me in Mansfield and Ashland and Galion and Crestline, OH, and said: You are going to make me

buy insurance. I don't want my insurance dollars to go to a private company. I want the choice of letting them go to the public option, a Medicare-like plan, so I have that choice and I can direct my insurance dollars to the place I want them to go.

A third letter I will read—I have two more to share with my colleagues—is from Bill from Cuyahoga County, which is the Cleveland area. Bill writes:

My spouse was diagnosed with breast cancer over two years ago. She worked for a commercial airline for 36 years, but along with other employees in their mid-50s, she was asked to take early retirement or face the possibility of reduced retirement benefits.

She took the early retirement package and subsequently found a part-time job with a local bank.

The health insurance coverage is inadequate and barely pays any benefits.

We have been together for more than 10 years, and during that time she didn't have so much as a cold.

But boom, the next thing you know she is sick with breast cancer, with chemo and medications that weaken her.

After her treatment sessions, she would then go off to work because she needed to keep her health benefits.

But finally, a few weeks ago, se quit her job. She's on COBRA now which we hope will last until she turns 65 years old and is eligible for Medicare.

My wife paid her [insurance] premiums for 36 years—

When she was with the airline—

while she was healthy but now that she is older and needs insurance, the benefits are cut or non-existent.

Bill's story is what we hear over and over, and it is in this same letter. Bill's story is: My wife paid for insurance all these years. We thought we had good insurance, and we did have good insurance until we needed it, until my wife got sick. Then the insurance was not so good. And Bill's story, with his wife, is: She looks forward to being 65 so she can have Medicare coverage.

Again, what kind of health care system does that? The insurance is OK until you really need it, and then they cut you off if you are too expensive, they cut you off if you have a preexisting condition, or they cut your son or daughter off because a baby is born with a preexisting condition. What kind of health care system says: Boy, I can't wait until I am 3 years older so I can have that good government plan, that Medicare plan that will mean stability and predictability?

We clearly need to help people get through this anxiety that so many Americans have because they just hope they do not get sick before they turn 65 or they hope they do not get too expensively sick, if you will, because they are going to lose their insurance because their insurance company will cut them off. That is why we need the public option. We need insurance reform. We need no more preexisting condition exclusions. We have done that in the bill.

No more discrimination based on gender or disability or race or age or geography. We have done that in the bill. No more disqualifications or annual cap because your health care costs too much, you spent too many days in the hospital, went to too many expensive doctors, had too much treatment. It is so expensive the insurance company is going to cancel your insurance. We are going to say: No more of insurance companies gaming the system.

We know—and the Senator from Oregon was on the floor with me a couple weeks ago and talked then—that insurance companies are making more and more profits, a 400-percent increase from 7 years ago. Insurance company CEOs' salaries—the Aetna CEO makes $24 million a year. The CEOs of the 10 largest insurance companies in the country average $11 million in pay.

How are they doing that? They are doing that by cutting off people such as Bill's wife. They are doing that by using preexisting conditions and keeping people from getting insurance. That is why the public option for Bill and his wife would mean they would be in a situation where they could have more choice—those insurance reforms I talked about. The public option would help to enforce those insurance reforms so Aetna and Blue Cross and WellPoint and these companies could not game the system the way they have so they can pay these huge salaries and have these increasingly huge profits. The public option will simply give people more choice. And it is only an option.

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. BROWN. Sure.

Mr. DURBIN. I tell the Senator, I was back home in Illinois during the break and went to southern Illinois, which is an area the Senator would be familiar with in a second. It is a small town, rural area. I love it. That is where my roots are in our State. I stopped at a hotel in the area of Marion, IL, and there is a nice lady who fixes breakfast in the morning for the guests. Her name is Judy. She could not be any kinder and nicer and always has a warm greeting.

She came up to me, as she was getting a cup of coffee, and said: Is this health care thing going to help me?

I said: Do you have health insurance?

She said: Oh, no. I've never had health insurance.

Judy, I am guessing, is about 60 years old.

I said: Well, I can tell you, if you just give me an idea about yourself, I will give you kind of an idea of what you might expect.

She said: Well, they keep cutting our hours at the hotel here. I am down to 30 hours a week, and I get paid about $8 an hour.

So I said: Well, I'll do a quick calculation. I think you make about $12,000 a year.

She said: Yeah.

Imagine, living on $12,000 a year, which is what her gross income is.

I said: By most of the bills that are going through Congress now, unless you are making over $14,000 or $15,000 a year, you will be covered by Medicaid, which means you are going to have health insurance for the first time in your life through Medicaid.

She said: I don't have to pay for it?

I said: No. You're in a low-income situation. You wouldn't have to pay for it at $12,000 a year.

I say to the Senator, I thought, as the Senator was just speaking, what if she were making $15,000 a year and her employer did not offer health insurance? As I understand it, at that point, most of the bills say: It is time for you to find a way to find health insurance. And the insurance exchange will give you some options from which to choose.

What the Senator is saying—what I believe, and I think what the vast majority of our people believe—is, one of those options should be a not-for-profit plan, the lowest cost for Judy to buy into. As the Presiding Officer pointed out in an earlier meeting we had, if we were to say we are going to impose an obligation on people to buy health insurance but only give them private health insurance options, I think most people would say: Wait a minute. If you are going to impose an obligation on me to buy health insurance, give me some affordable options.

Our support for a public option is to come up with a not-for-profit plan that is not trying to please shareholders, that is not advertising on radio and television, and that does not hire lots of people, clerks to say no. That, to me, is a sensible outcome for the obligation to buy health insurance because it gives people choices.

I salute Senator HARRY REID because, as our Democratic leader, he said maybe there are some Governors, some States, some people who just do not want a public option. Let them decide to opt out of the system. They can opt out. They are not going to be forced in. They can opt out. I think that is a reasonable way to move.

So I say to the Senator from Ohio, you probably have a lot of your constituents, just like mine—like Judy who works down at this hotel—who are uninsured at the moment. She has diabetes, incidentally. She told me she had some medical issues and could not even go to a doctor, see a doctor, because she just does not make enough money. That is the reality of life for a lot of hard-working people in Illinois, and in Ohio, I am sure.

Mr. BROWN. Mr. President, I thank Assistant Majority Leader DURBIN.

That story is so common. I was in a restaurant in Columbus one day and had breakfast with my daughter, who lives there. The young woman who waited on us, who is working probably about the same number of hours—she is waiting tables. She is doing a little better than that, I think, in terms of her income. She is also tutoring some music students because she went to college and got a degree in music. She hopes to turn that into a business. She

is making more money than what would qualify her for Medicaid. With the legislation, she would get the opportunity.

She said: Are you going to pass this bill?

I said: Yes.

She said: Are you going to have a public option?

I said: Majority Leader REID is putting the public option in the bill. The House passed a bill with the public option. So I believe we are going to have a public option in the bill.

So again, as Senator DURBIN said, depending on their income, people will take their personal money, adding it to help they get from the government, to be able to pay the premiums. Let them decide for themselves. We do not want to tell them they have to go into a Medicare-like public option. We do not want to tell them they have to go to Aetna or Cigna or Blue Cross or WellPoint. Give them that chance and give them that choice. They can compare on cost. They can compare what kind of service they get, what kind of illnesses are covered.

Then, as Senator DURBIN pointed out, one of the things with private health insurance is that a big part of their profits—and their profits have gown, as have their salaries for the top executives—a big part of their profits comes from hiring bureaucrats who deny care. They first try not to insure you by invoking a preexisting condition or something so you cannot get insurance. They hire a bunch of people to deny you even getting the insurance.

Then, if you are able to qualify for insurance because you do not have a preexisting condition, and you get sick, then they hire a bunch of bureaucrats who process your claim and many times turn you down. About a third—almost a third—of claims initially are turned down by an insurance company. More of them are accepted after you appeal.

But, for example, take Judy in Marion, IL, who the Senator just talked about. If she were to have coverage from a private health insurance company—you know how hard people work in hotels, whether cleaning rooms or waiting tables, or being at the front desk or whatever they are doing, and doing maintenance work there. They are working so hard. They are very tired at the end of the day, as are most Americans. They file a health care claim that is legitimate. The insurance company tells them no. Then they have to find the time during the work day, if they work when the insurance companies' lines are open, to call and call and call.

Some of them call their Congressman or Senator, and we try to help people all the time push the insurance companies. They will talk to us. We are much more likely to be able to help them than they can help themselves when we call in. But why should that be? Why should they have to call their Members of Congress or call Senator DURBIN or Senator MERKLEY or me to help fight an insurance company?

When people are sick, the last thing they want to do is fight an insurance company to get reimbursed.

We know what the President said during the 2008 Presidential race about his own mother, that she was dying from cancer and had to fight with insurance companies. It is simply not the kind of health care system we should have.

I have met so many Judys from Marion, IL, in places such as Steubenville and Cambridge and Lima and Findlay, OH, who work so hard and cannot get insurance and cannot manage their care, cannot manage their health. People like that die younger than people who dress like this and have good insurance. People like that so often—Judy has not been able to take care of her diabetes. My son-in-law has diabetes. He was diagnosed with type I diabetes at the age of 29. That was about 5 years ago. He works for Ohio State. He has a good health care plan. He takes really good care of himself, but he has the support of a health care system to do it. He is in the capital city with great private hospitals and public hospitals, with good insurance, but there are so many who can't go to those hospitals unless they are so acutely sick. Then they go to the emergency room. Why do we want people with diabetes or asthma or a heart condition to wait until they are sick to go to an emergency room instead of managing their care?

Our health care system in this country, as good as it is to so many people who have good insurance, is the worst anywhere. Let me put it this way: We have more people in the hospital who have chronic conditions such as diabetes and heart disease and asthma, conditions that one can manage outside a hospital at a much lower cost. In this country, they are more likely to end up in a hospital than in any other country in the world, and that is one of the things our legislation will fix.

Let me share one last letter, and I appreciate Senator DURBIN joining us. This is from Deborah from Columbiana County, a county just like Marion, IL; a small, rural county; a pretty low-income county, a lot of job loss, just south of Youngstown along the Ohio River. Deborah is a 56-year-old wife of a disabled retiree who suffers from a heart condition, arthritis, and three ruptured discs in his back.

Within 1 month of his retirement, the steel company he worked for filed for bankruptcy and went out of business. This left them with a reduced monthly pension and the loss of all health care coverage that he worked for 33 years to earn. They went without insurance from 2003 until he qualified for Social Security disability and Medicare in 2008. Deborah doesn't qualify, however, for either Social Security disability or Medicare. She has tried to get private health care coverage, but they can't afford the $2,400 to $3,000 a month for premiums.

She says:

> My question is this: In the health care reform, will there be a public option that doesn't disqualify me because of my preexisting condition? Will I have to continue trying to purchase coverage from private insurance companies?

Exactly what Senator DURBIN said: You never hear of Medicare denying somebody coverage because of a preexisting condition. We are certainly hearing about it from Wellpoint and CIGNA. We certainly hear about it from other private insurance companies. But we are never going to hear about the public option—once we enact it as part of U.S. law, we are never going to hear about the public option disqualifying people because of a preexisting condition.

So what Deborah wants and needs is the choice. She can choose a private plan or she can choose the public option. But she can be assured the public option will not disqualify her or her husband or anybody else with a preexisting condition. She knows even if she gets sick and she spends a lot of money for her health care and for hospitals and treatments and doctors visits that her insurance would not be cut off because her care costs so much money. That is the beauty of the public option. It brings in competition, it keeps prices down, and it protects the public from being denied care because of a preexisting condition or illness.

In the next few weeks, Senator REID plans to bring this bill to the Senate floor. It will include a strong public option with a State opt-out, as Senator DURBIN said, so if a State such as Arkansas or Nebraska or wherever decides this is not for them, they can go and talk to their Governor and to their legislature and they can opt out of it. I don't think very many States will because I think the public option will matter for millions and millions of Americans. I believe hundreds of thousands of people in my State will decide they want to be in the public option. But even if they don't, they will understand—people will know their private insurance will be better, it will be a higher quality and less cost because of the competition from the public option.

I thank the President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I speak with gratitude to Senator BROWN from Ohio who regularly comes to the Senate floor to address this issue which will be pending soon before the Senate and which may be the most important issue we will face during our lifetime. So I am glad his leadership is demonstrated again this evening on this issue.

GUANTANAMO BAY

When people are asked about our troops on Veterans Day, there is a

warm feeling about the sacrifice and courage they show by volunteering to serve our country. We were all saddened by the tragedy at Fort Hood. We are saddened to learn that even more soldiers are dying overseas. We are worried about the multiple deployments and the conditions they face overseas. We are worried, when they come home, to keep our promise to them that they get the medical care they need.

One of the issues that relates directly to our troops and their safety is the issue of Guantanamo. Guantanamo is a detention facility that was created by the previous President after 9/11 in an effort to try to gather those we thought were dangerous to the United States and other places and hold them safely. That facility was opened and expanded at considerable expense, but, unfortunately, during the course of its early history it became controversial, particularly overseas. Guantanamo came to symbolize in the minds of many overseas an image of the United States of which they were critical. Whether that was just or unjust, it is a fact.

As a result, GEN Colin L. Powell, who served as Chairman of our Joint Chiefs of Staff, as well as Secretary of State under President George Bush, said—and I paraphrase him—I wouldn't close Guantanamo tomorrow, I would close it this afternoon. Similar statements have been made by Admiral Mullen, who is now Chairman of our Joint Chiefs of Staff, about the danger that Guantanamo poses as long as it is open. GEN David Petraeus, who has served and commanded our troops overseas and knows terrorism, as it has stared him in the face, and who has seen its results, has said Guantanamo should be closed. Former President George W. Bush on eight different occasions called for the closure of Guantanamo. It has been a strongly held position by the former President and many in his Cabinet, a position shared by many of us in Congress, and a position which was the leading position taken by our new President when he was elected earlier this year—the closure of Guantanamo.

The obvious question was, What do we do with the remaining prisoners? Some of them are safe to release; others are not. What happens to those who are not? We have had a debate back and forth on the floor of the Senate. The position taken by most on the Republican side of the aisle is to oppose the closure of Guantanamo. They oppose the position taken by General Powell and General Petraeus and so many others, but that is their right to do. Many of them have challenged this President, if he is going to close Guantanamo, to say what he would do with these detainees.

Over the weekend there was a disclosure of a plan the President is developing. They have not made a final decision on where these detainees will go, but one of the options they are considering is in my home State of Illinois. It is in a small community called Thomson, IL, in Carroll County. You will find it on the northwest corner of our State about 50 or 60 miles north of the Quad Cities, Rock Island area, about 50 or 60 miles southwest of Rockford. It is a very rural county. It is a county that has faced enormous difficulties in the past and faces high unemployment today.

About 8 or 9 years ago, the State of Illinois built a state-of-the-art, maximum security prison in Thomson, IL. It holds 1,600 beds and the latest technology to safely contain the prisoners who were sent there. Then my State fell on hard times and couldn't open the prison, and it sat there. The town of Thomson, Carroll County, made infrastructure investments in anticipation of this prison coming and new employment coming to the area. Now, for the last 8 years, they have paid the bills on that infrastructure but have had very few jobs at the prison.

Currently, there are about 100 inmates being held in a minimum security setting. The prison has not been utilized as it should be or could be. So the mayor of the town, who is a very good man—we call him Village President back in Illinois—Jerry ''Duke'' Hebeler, wrote a letter to me and to Governor Patrick Quinn and to the President and said: I hope you will consider our empty prison sitting in Thomson, IL, as a place for Federal prisoners, including the detainees at Guantanamo.

Well, I saw this letter and thought that may be the answer. I submitted the letter to the administration. Governor Quinn hand carried it to the President of the United States and asked him to consider the Thomson facility.

They are now, as of today, on the ground looking at what they would do to convert this into a Federal prison, but also a prison that would house the Guantanamo detainees. It is a little complicated because under the Geneva Convention, those who are arrested in war have to be held in a setting separate from the ordinary corrections facilities of our government. So the Department of Defense maintains a military prison at Guantanamo and would at Thomson as part of that prison facility, but it is separate. It is run by the Department of Defense, not by the Bureau of Prisons.

So the idea is to take about one-fourth of the Thomson facility and set it aside for the Guantanamo detainees. I don't know the exact number we would have transferred there, but we are told it would be fewer than 100 prisoners. That leaves the rest of the facility with over 1,000 beds to alleviate some of the overcrowding we have in Federal prisons today.

The net result of this would be dramatic in terms of the local economy. It is estimated it would create anywhere between 1,800 to 3,200 jobs, some 1,800 at the prison itself and others in the community for businesses that would support the prison. The economic activity associated with this new prison is estimated to be over $200 million a year, which means in a 4-year period of time anywhere from $800 million to $1 billion will be spent in this community.

I need not tell the Presiding Officer, as you reflect on your own home State of Oregon, what it means for a small town in a rural community to have that kind of influence of people and spending. Twenty percent of the jobs will likely go to people living in Iowa across the river, easily accessible, 80 percent on the Illinois side. That is just the best estimate. But the net result of it would be a positive injection of jobs and economic activity into a very tough environment economically.

When we talk about creating jobs, most of us would turn cartwheels as Senators and Congressmen to announce 100 jobs coming to any town. The notion of 2,000 to 3,000 jobs coming is unimaginable, and it is a once-in-a-lifetime opportunity.

Governor Pat Quinn has endorsed it. I have endorsed it as well. We are working out the details and getting questions answered to see if we can move forward and do it on a timely basis.

Not surprisingly, critics have appeared, some within our own State. The Republican—not all of the Republicans in Congress in our State, but many of them—have held press conferences opposing the sale of the Thomson prison to the Federal Government. They are entitled to their point of view, and I respect them even though we may disagree. But I will tell my colleagues that several of the arguments they are making against the use of the Thomson prison are just plain wrong.

One of them—I think the overriding argument—is that we should be afraid of what it means to bring Guantanamo detainees to the United States, on our soil. What they fail to acknowledge is that currently we have 340 convicted terrorists in America's prisons today, and 35 in the State of Illinois, some of them convicted for al-Qaida activities. It has not endangered the people living near those prisons. In fact, they may not even be the most dangerous people in these prisons. The fact is, they are there. The idea of bringing in fewer than 100 into the Thomson prison is not going to change this calculus much, if any. There will still be terrorists held in other prisons in our State, and terrorists would be held there, and that is something our prison people do, and do well. The guards and the administrators know how to handle these prisons safely and securely.

When this Thomson prison is reconfigured, if it is chosen, it will be safer than any supermax facility in the United States, and there has never been an escapee from a supermax facility. That is a fact.

The second argument made by one of the Congressmen is one that is troubling because he said he feared that

these detainees would be released into the United States. That Congressman should know better. We have passed two bills signed by President Obama which prohibit releasing detainees from Guantanamo into the United States. It is not going to happen. It shouldn't happen. So that is a fear that should be dispelled.

The third argument this Congressman made was that under the rules, every detainee would be entitled to 10 visitors a year, which meant if there is 100 detainees there would be 1,000, as he called them, Islamic followers, jihad followers, coming into the State of Illinois, landing at O'Hare and heading over across our State to the Thomson area.

Well, he is just plain wrong. The detainees currently held at Guantanamo are not entitled to any visits from family and friends. None. The only visits come from attorneys, their legal counsel, and that rule would still apply at the Thomson prison. So this notion of a thousand jihadist visitors coming to Illinois isn't going to happen. It wouldn't happen.

The fourth point that has been raised is one that I really think gets to the heart of the issue. It is the argument that if we brought these detainees to the United States and put them in a prison, there would be retaliation against the United States.

This one Congressman has gone so far as to pinpoint specific buildings in Chicago in which he thinks the terrorists would try to destroy and kill innocent people. I think that kind of designation of specific buildings crosses a line we should not cross. I don't know that it gives ideas to terrorists, but to speak of this so casually is wrong. I wish he hadn't said that. Think about what he is arguing. He argues that if we capture, prosecute, and incarcerate those who would terrorize the United States, we run the risk of retaliation. His argument is: Let's not make them mad. Well, I couldn't disagree with him more. As heartbreaking as 9/11 was, after that day we came forward with a determination to tell the world that the United States was going to make those responsible answer for the violence of that day and any other violence perpetrated upon the United States. That is what we are doing.

We have 340 terrorists currently incarcerated across America. The fact that we have successfully prosecuted 195 of them since 9/11 says we are going to use our system of justice to bring justice to this situation. If we are going to cower in fear, believing the enforcement of our laws and the incarceration of terrorists will provoke more terrorism, then we will have lost our way as a nation. We need to show the courage of our convictions to let people know the rule of law will be applied in the United States to all who harm us. That is what this incarceration at Thomson would do.

I don't know if President Obama will make the final decision to send these detainees to his home State of Illinois. I believe we can work with the Bureau of Prisons and the Department of Defense to make certain that they are held safely, that they pay the price for what they have done, and that they are held as long as necessary to avoid any danger to people of the United States. We can do this in a humane fashion, and we can do it in a professional fashion. We don't have to apologize or run scared, as some of the critics of this idea are today.

In conclusion, I am proud of the people of Carroll County in Thomson, IL, for stepping up and realizing they desperately need help economically, seeing a great asset in that community that can be utilized to not only serve our State but to serve our Nation and to put our best foot forward to show we will apply standards of justice there that are applied across America—standards that are fair, standards that recognize the basic freedoms we hold dear and the system of justice we hold dear that says those who are guilty of crime will pay a price.

Mr. President, I yield the floor.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATING THURSDAY, NOVEMBER 19, 2009, AS ''FEED AMERICA DAY''

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to S. Res. 334.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 334) designating Thursday, November 19, 2009, as ''Feed America Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 334) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 334

Whereas Thanksgiving Day celebrates the spirit of selfless giving and an appreciation for family and friends;

Whereas the spirit of Thanksgiving Day is a virtue upon which the Nation was founded;

Whereas according to the Department of Agriculture, roughly 35,000,000 people in the United States, including 12,000,000 children, continue to live in households that do not have an adequate supply of food; and

Whereas selfless sacrifice breeds a genuine spirit of thanksgiving, both affirming and restoring fundamental principles in our society: Now, therefore, be it

Resolved, That the Senate—

(1) designates Thursday, November 19, 2009, as ''Feed America Day''; and

(2) encourages the people of the United States to sacrifice 2 meals on Thursday, November 19, 2009, and to donate the money that they would have spent on such food to a religious or charitable organization of their choice for the purpose of feeding the hungry.

DRIVE SAFER SUNDAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 335.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 335) designating November 29, 2009, as ''Drive Safer Sunday.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 335) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 335

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas every individual traveling on the roads and highways needs to drive in a safer manner in order to reduce deaths and injuries that result from motor vehicle accidents;

Whereas according to the National Highway Traffic Safety Administration, wearing a seat belt saves more than 15,000 lives each year;

Whereas the Senate wants all people of the United States to understand the life-saving importance of wearing a seat belt and encourages motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

Resolved, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to be focused on safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely on the Sunday after Thanksgiving, and to publicize the importance of the day through use of Citizen's Band (''CB'') radios and truck stops across the Nation;

(C) clergy to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safely, particularly on the Sunday after Thanksgiving; and

(E) all people of the United States to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 29, 2009, as ''Drive Safer Sunday''.

NATIONAL READING EDUCATION ASSISTANCE DOGS DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 338.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 338) designating November 14, 2009, as ''National Reading Education Assistance Dogs Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 338) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 338

Whereas reading provides children with an essential foundation for all future learning;

Whereas the Reading Education Assistance Dogs (R.E.A.D.) program was founded in November of 1999 to improve the literacy skills of children through the mentoring assistance of trained, registered, and insured pet partner reading volunteer teams;

Whereas children who participate in the R.E.A.D. program make significant improvements in fluency, comprehension, confidence, and many additional academic and social dimensions;

Whereas the R.E.A.D. program now has an active presence in 49 States, 3 provinces in Canada, Europe, Asia, and beyond with more than 2,400 trained and registered volunteer teams participating and influencing thousands of children in classrooms and libraries across the Nation;

Whereas the program has received awards and recognition from distinguished entities including the International Reading Association, the Delta Society, the Latham Foundation, the American Library Association, and PBS Television; and

Whereas the program has garnered enthusiastic coverage from national media, including major television networks NBC, CBS, and ABC, as well as international television and print coverage: Now, therefore, be it

Resolved, That the Senate, in honor of the 10th anniversary of the R.E.A.D. program, designates November 14, 2009, as ''National Reading Education Assistance Dogs Day''.

UNANIMOUS-CONSENT AGREEMENT—APPOINTMENTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the appointments with respect to the United States-China Economic Security Review Commission made on Tuesday, November 10, 2009, be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent that the appointments at the desk with respect to the United States-China Economic Security Review Commission be considered to have been made on Tuesday, November 10, 2009, and that they appear separately in the RECORD as if made by the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and public the recommendation of the Majority Leader, in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appoints the following individuals to the United States-China Economic Security Review Commission: Patrick A. Mulloy, of Virginia, for a term beginning January 1, 2010 and expiring December 31, 2011, and William A. Reinsch, of Maryland, for a term beginning January 1, 2010 and expiring December 31, 2011.

MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now resume consideration of H.R. 3082, the Military Construction-VA appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. JOHNSON. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON. Mr. President, I ask unanimous consent that it be in order for the following amendments to be considered en bloc: 2759, 2760, 2741, 2752, 2738, 2746, 2773, 2740, 2749, 2751, 2743, 2771, 2737, 2747, 2745, 2734, 2753.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 2741; 2759; 2760; 2740; 2752; 2746; 2737, AS MODIFIED; 2745, AS MODIFIED; 2747, AS MODIFIED, AND 2771, AS MODIFIED

Mr. JOHNSON. Mr. President, I now ask unanimous consent that amendments Nos. 2741, 2759, 2760, 2740, 2752, and 2746, which are pending, be considered and agreed to en bloc and the motion to reconsider be laid upon the table; that amendments Nos. 2737, 2745, 2747, and 2771 be modified with the changes at the desk, and that, as modified, the amendments be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 2741, 2759, 2760, 2740, 2752, and 2746) were agreed to.

The amendments (Nos. 2737, as modified; 2745, as modified; 2747, as modified, and 2771, as modified) were agreed to, as follows:

AMENDMENT NO. 2737, AS MODIFIED

On page 52, after line 21, add the following:

SEC. 229. Of the amount appropriated or otherwise made available by this title under the heading ''MEDICAL SERVICES'', $150,000,000 may be available for the grant program under section 2011 of title 38, United States Code, and per diem payments under section 2012 of such title.

AMENDMENT NO. 2745, AS MODIFIED

On page 52, after line 21, add the following:

SEC. 229. Of the amounts appropriated or otherwise made available by this title for the Department of Veterans Affairs, up to $5,000,000 may be available for the study required by section 1077 of the National Defense Authorization Act for Fiscal Year 2010.

AMENDMENT NO. 2747, AS MODIFIED

On page 52, after line 21, add the following:

SEC. 229. (a) CAMPUS OUTREACH AND SERVICES FOR MENTAL HEALTH AND NEUROLOGICAL CONDITIONS.—Of the amounts appropriated or otherwise made available by this title, $5,000,000 may be available to conduct outreach to and provide services at institutions of higher education to ensure that veterans enrolled in programs of education at such institutions have information on and access to care and services for neurological and psychological issues.

(b) SUPPLEMENT NOT SUPPLANT.—The amount described in subsection (a) for the purposes described in such subsection is in addition to amounts otherwise appropriated or made available for readjustment counseling and related mental health services.

AMENDMENT NO. 2771, AS MODIFIED

At the end of title II, add the following:

SEC. 229. In administering section 51.210(d) of title 38, Code of Federal Regulations, the Secretary of Veterans Affairs may permit a State home to provide services to, in addition to non-veterans described in such section, a non-veteran any of whose children died while serving in the Armed Forces, as long as such services are not denied to a qualified veteran seeking such services.

AMENDMENTS NOS. 2734, 2738, 2773, 2753, 2749, 2751, 2743

Mr. JOHNSON. Mr. President, on behalf of various Senators I now call up en bloc amendments Nos. 2734, 2738, 2773, 2753, 2749, 2751, 2743. I ask unanimous consent that the amendments be considered and agreed to, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were considered and agreed to, as follows:

AMENDMENT NO. 2734

(Purpose: To require a report on bid savings realized from cost and scope variations for military construction projects)

On page 27, between lines 3 and 4, insert the following:

SEC. 128. Not later than each of April 15, 2010, July 15, 2010, and October 15, 2010, the Secretary of Defense shall submit to the congressional defense committees a consolidated report from each of the military departments and Defense agencies identifying,

by project and dollar amount, bid savings resulting from cost and scope variations pursuant to section 2853 of title 10, United States Code, exceeding 25 percent of the appropriated amount for military construction projects funded by this Act, the Supplemental Appropriations Act, 2009 (Public Law 111–32), and the Military Construction and Veterans Affairs Appropriations Act, 2009 (division E of Public Law 110–329), including projects funded through the regular military construction accounts, the Department of Defense Base Closure Account 2005, and the overseas contingency operations military construction accounts.

AMENDMENT NO. 2738

(Purpose: To provide for a study on transportation improvements to accommodate installation growth associated with the 2005 Defense Base Closure and Realignment (BRAC) program)

On page 27, between lines 3 and 4, insert the following:

SEC. 128. (a) Of the funds appropriated or otherwise made available by this title under the heading ''DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT, 2005'', $450,000 shall be available for the Secretary of Defense to enter into an arrangement with the National Academy of Sciences to conduct a study through the Transportation Research Board of Federal funding of transportation improvements to accommodate installation growth associated with the 2005 Defense Base Closure and Realignment (BRAC) program.

(b) The study conducted pursuant to subsection (a) shall—

(1) examine case studies of congestion caused on metropolitan road and transit facilities when BRAC requirements cause shifts in personnel to occur faster than facilities can be improved through the usual State and local processes;

(2) review the criteria used by the Defense Access Roads (DAR) program for determining the eligibility of transportation projects and the appropriate Department of Defense share of public highway and transit improvements in BRAC cases;

(3) assess the adequacy of current Federal surface transportation and Department of Defense programs that fund highway and transit improvements in BRAC cases to mitigate transportation impacts in urban areas with preexisting traffic congestion and saturated roads;

(4) identify promising approaches for funding road and transit improvements and streamlining transportation project approvals in BRAC cases; and

(5) provide recommendations for modifications of current policy for the DAR and Office of Economic Adjustment programs, including funding strategies, road capacity assessments, eligibility criteria, and other government policies and programs the National Academy of Sciences may identify, to mitigate the impact of BRAC-related installation growth on preexisting urban congestion.

(c) The Secretary of Defense shall enter into an arrangement with the National Academy of Sciences to provide the study conducted pursuant to subsection (a) by not later than 45 days after the date of the enactment of the Act.

(d)(1) Not later than May 15, 2010, the National Academy of Sciences shall provide an interim report of its findings to the Secretary of Defense and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

(2) Not later than January 31, 2011, the National Academy of Sciences shall provide a final report of its findings to the Secretary of Defense and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

AMENDMENT NO. 2773

(Purpose: To designate the Department of Veterans Affairs Medical Center in Louisville, Kentucky, as the ''Robley Rex Department of Veterans Affairs Medical Center'')

At the end of title II, add the following:

SEC. 229. (a) DESIGNATION OF ROBLEY REX DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.—The Department of Veterans Affairs Medical Center in Louisville, Kentucky, and any successor to such medical center, shall after the date of the enactment of this Act be known and designated as the ''Robley Rex Department of Veterans Affairs Medical Center''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Robley Rex Department of Veterans Affairs Medical Center.

AMENDMENT NO. 2753

(Purpose: To make a technical correction requested by the Army in the funding of dining projects at forwarding operating bases in Afghanistan)

On page 56, between lines 9 and 10, insert the following:

ADMINISTRATIVE PROVISION

SEC. 401. (a)(1) The amount appropriated or otherwise made available by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' and available for a dining hall project at Forward Operating Base Dwyer is hereby increased by $4,400,000.

(2) The amount appropriated or otherwise made available by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' and available for a dining hall project at Forward Operating Base Maywand is hereby reduced by $4,400,000.

(b)(1) The amount appropriated or otherwise made available by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' and available for a dining hall project at Forward Operating Base Wolverine is hereby increased by $2,150,000.

(2) The amount appropriated or otherwise made available by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' and available for a dining hall project at Forward Operating Base Tarin Kowt is hereby reduced by $2,150,000.

AMENDMENT NO. 2749

(Purpose: To provide $37,500,000 requested by the Air Force for construction of an Unmanned Aerial System Field Training Complex at Holloman Air Force Base, New Mexico, as authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84), and to provide an offset)

On page 27, between lines 3 and 4, insert the following:

SEC. 128. (a)(1) The amount appropriated or otherwise made available by this title under the heading ''MILITARY CONSTRUCTION, AIR FORCE'' is hereby increased by $37,500,000.

(2) Of the amount appropriated or otherwise made available by this title under the heading ''MILITARY CONSTRUCTION, AIR FORCE'', as increased by paragraph (1), $37,500,000 shall be available for construction of an Unmanned Aerial System Field Training Complex at Holloman Air Force Base, New Mexico.

(b) Of the amount appropriated or otherwise made available by title I of the Military Construction and Veterans Affairs Appropriations Act, 2009 (division E of Public Law 110–329; 122 Stat. 3692) under the heading ''MILITARY CONSTRUCTION, AIR FORCE'' and available for the purpose of Unmanned Aerial System Field Training facilities construction, $38,500,000 is hereby rescinded.

AMENDMENT NO. 2751

(Purpose: To make a technical correction for the Air Force at Columbus AFB, Mississippi)

On page 4, line 6, after the date, insert the following:

, Of which $9,800,000 shall be for an Aircraft Fuel Systems Maintenance Dock at Columbus AFB, Mississippi

AMENDMENT NO. 2743

(Purpose: To provide, with an offset, an additional $750,000 for homeless veterans comprehensive service programs and housing assistance and supportive services)

On page 52, after line 21, add the following:

SEC. 229. (a) ADDITIONAL AMOUNT FOR HOMELESS VETERANS COMPREHENSIVE SERVICE PROGRAMS AND HOUSING ASSISTANCE AND SUPPORTIVE SERVICES.—The amount appropriated by this title under the heading ''MEDICAL SERVICES'' under the heading ''VETERANS HEALTH ADMINISTRATION'' is increased by $750,000, with the amount of the increase to be available for the following:

(1) The grant program under section 2011 of title 38, United States Code.

(2) Per diem payments under section 2012 of such title.

(3) Housing assistance and supportive services under subchapter V of chapter 20 of such title.

(b) OFFSET.—The amount appropriated or otherwise made available by this title under the heading ''GENERAL OPERATING EXPENSES'' under the heading ''DEPARTMENTAL ADMINISTRATION'' is decreased by $750,000.

Mr. JOHNSON. Mr. President, I ask unanimous consent that on Tuesday, November 17, following a period of morning business, the Senate resume consideration of H.R. 3082, and that the following list of amendments be the only amendments remaining in order, with no second-degree amendments in order to any listed amendments: Johnson amendment No. 2733, Feingold amendment No. 2748; Cochran amendment No. 2763, Inhofe amendment No. 2774, Inouye amendment 2754, McCain second-degree amendment No. 2776; that the previous order regarding a managers' amendment remain in effect; that the vote with respect to the Inhofe amendment occur when the Senate resumes consideration of the bill at 2:15, and that upon disposition of the Inhofe amendment, the provisions of the previous order with respect to disposition of the substitute and passage of the bill be in effect; that there be 2 minutes of debate prior to each vote, except that prior to the Inhofe vote there be 5 minutes of debate, with all debate time equally divided and controlled in the usual form; further, that amendment No. 2779 be withdrawn once this agreement is entered into this evening, with any relevant provisions of the order of November 10 in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment (No. 2779) was withdrawn.

Mr. JOHNSON. Mr. President, as in executive session, I ask unanimous consent that on Tuesday, following the disposition of H.R. 3082, the order with respect to the Hamilton nomination be executed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mrs. HUTCHISON. Parliamentary inquiry: I did not understand the last unanimous consent request, that we were going to a nomination?

Mr. JOHNSON. 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. HUTCHISON. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I believe we are now on the glidepath to finishing the Military Construction and Veterans Affairs bill. We have an order. If we can clear some of the further amendments that are listed for a vote, I know we will be able to do that. Some of these are being negotiated at this time. At least we have a way forward.

Our staffs have worked very diligently on this since we started this bill last Tuesday and, for various reasons, we are going to finish it tomorrow, a week later. We could not have done it without a lot of cooperation. I thank my distinguished colleague, the chairman of the subcommittee, Senator JOHNSON, and his staff: Christina Evans, Chad Schulken, and Andy Vanlandingham. My staff also has ably worked through these. When I was called away to Fort Hood, my chief clerk, Dennis Balkham, did a great job with the help of Ben Hammond in our office. I appreciate very much all the cooperation and the help we have had coming to this point.

I am pleased with our bill. I think we have a good bill that will do what all of us want, which is to assure that our veterans have the health care, the benefits, the needed outreach they should have for getting their benefits on a timely basis. This is one of the priorities we are funding in this bill. Secondly, of course, the military construction part of this bill is going to assure many quality-of-life improvements for our military personnel. Also, we will be building in faraway places where our troops are being housed right now. We want to give them every comfort we possibly can as they are fighting for our freedom.

I thank my colleagues and certainly appreciate that we are now moving toward final passage of this bill tomorrow. I appreciate all the cooperation we have had.

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. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EL SALVADOR'S CHALLENGES

Mr. FEINGOLD. Mr. President, on November 16, 1989, six Jesuit Fathers, their housekeeper, and her daughter were brutally murdered by members of the Salvadoran Army. The Senate has passed a resolution remembering and honoring the lives and work of these individuals, and today, as we solemnly mark the 20th anniversary of this tragedy, I am struck by the enduring legacy of those who lived and taught their commitment to justice, human rights, and peace in the face of violence and oppression.

A New York Times article published on November 17, 1989, a day after their murders, remembered Father Ignacio Ellacuria Bescoetxea as a strong advocate for human rights and a key participant in successful negotiations for the release of the President's daughter in 1985. Father Ignacio Martín-Baró was ''a gentle academic type, with an office overflowing with books, papers, everything,'' and the editor of a widely distributed scholarly journal. Father Segundo Montes worked to collect data on atrocities committed in El Salvador's war so that, some day, justice could be done and victims would not be forgotten. Father Amando López was a committed professor of theology and served the seminary as its rector. Father Juan Ramon Moreno was the assistant director of the university's chapel which also served as an auditorium for lectures making relevant church teachings to the situation in El Salvador. Father Joaquin López y López was the director in El Salvador of Fe y Alegria which organized primary schools for children in the poorest neighborhoods.

These men put their faith and academic expertise in philosophy, political science, sociology, economics, and theology to good use. They maintained a distinct hope for an El Salvador at peace, and a country that respected and protected the rights and well-being of all its people—including the very poorest. These teachers were invaluable educators not only for their students and fellow Salvadorans, but also for the global community, bringing international attention and awareness to the plight of those most deeply affected by the conflict in their country. Though tragic, their deaths, and those of their housekeeper, Julia Elba Ramos, and her daughter, Celina Mariset Ramos, helped bring about the negotiations that ultimately led to peace in 1992, and their work on human rights and social justice is continued today by many in El Salvador and around the world, including the 28 Jesuit colleges and universities in the U.S.

The civil war is long over, and we witnessed a landmark for democracy this spring as El Salvador hosted its first transfer of power between political parties in a relatively peaceful and transparent election. The new government faces many challenges, including widespread poverty, crime, and gang violence, and the work of the six priests remains just as important today—to address these great challenges, El Salvador must commit itself to the causes of education, justice, and human rights that they championed two decades ago.

NATIONAL ADOPTION MONTH

Mr. CORNYN. Mr. President, I rise today to voice my support for National Adoption Month and the efforts of those individuals who play a role in foster care and the adoption process.

According to the U.S. Department of Health and Human Services, approximately 51,000 children are adopted in the United States of America each year. This is an encouraging figure and a strong testament to the efficacy of child welfare workers and foster care families around the country. However, this month also provides us with an opportunity to look at the more sobering side of this issue.

Currently, more than 130,000 children await adoption in the United States. This figure represents children who do not yet know the safety and security of loving parents or a home to call their own. This is a dilemma about which we must raise awareness and for which we must find solutions.

As a father myself, I can speak for the sacrifices that most parents willingly make for the well-being of their children. I therefore deeply admire and respect those who make these sacrifices for children who are not their own by birth by providing foster homes or by seeking to adopt.

Many adoptive parents have fought their way through significant obstacles in the legal process in order to adopt, and all have taken risks and made sacrifices in their own lives to create a family where none has been before.

The theme of this year's effort to raise awareness about the adoption of children and youth from foster care, ''You don't have to be perfect to be a perfect parent,'' should help serve as a reminder that, although many would-be adoptive parents feel unequal to the job, they have a great deal to offer these children.

There are many ways to adopt, whether through the public foster care system, domestic adoption through private agencies within the United States, or intercountry adoption, to name a few, and numerous adoption agencies and workers stand ready to assist in the process.

As a Senator, I have seen the statistics of those children for whom no home was made, for whom no parent stepped up to the hard but rewarding job of parenting, and while there are encouraging exceptions, figures make it very clear that society has found no replacement for a stable home and loving parents.

Thus, it is both for the sake of these children and for the welfare of our Nation that I encourage adoption as a way to enhance one's own life and the society in which we all live. As I have

said in the past, the act of adoption itself represents the value that Americans place on the worth of each human life, and it is throughout this particular month of the year that we take time to reaffirm this sacrificial and rewarding act.

VOTE EXPLANATIONS

• Mr. LIEBERMAN. Mr. President, I was not present for the votes on Senator COBURN's motion to commit H.R. 3082 to the Senate Committee on Appropriations and amendment No. 2757, which was also introduced by Senator COBURN. Had I been present, I would have voted nay on the motion to commit and voted yea in favor of amendment No. 2757.•

ADDITIONAL STATEMENTS

REMEMBERING JUANITA HELMS

• Mr. BEGICH. Mr. President, I wish to remember the life of an extraordinary resident from my home State of Alaska, Juanita Lou Helms. Ms. Helms passed away on November 7, 2009, in her hometown of Fairbanks. She was 68.

Ms. Helms was active in local community organizations, politics, and most importantly, was devoted to her husband, their four children, and grandchildren.

Juanita began her public service on the borough assembly in 1980, but she is most well known in the community for becoming the Fairbanks North Star Borough's first female mayor in 1985. During her two terms, Mayor Helms sheparded the Borough through difficult financial times. As an ''open door'' mayor and terrific listener, she inspired the trust needed to find common ground among her constituents.

Among her accomplishments was the construction of the community's convention center, improving air quality, and helping thaw the ''ice curtain'' by establishing a sister city relationship with Yakutsk in Eastern Russia.

Away from the political realm, Ms. Helms was involved in innumerable civic endeavors, especially parent-teacher groups in Fairbanks. She also held an assortment of jobs in the community from carhop to court clerk to rental property manager.

In her personal life Juanita was an avid dancer who was loved by her family and all who knew her. She and her husband Sam were devoted to their children Fawn, Selene, Ren, and Karisse. They were so deeply involved in their lives and those of their many grandchildren that the number of events they attended and participated in are virtually countless.

Juanita will be missed by her family, friends, and all of the people she touched in the State of Alaska.•

REMEMBERING ANNIE ASHENFELTER

• Mr. BEGICH. Mr. President, I rise today in remembrance of Annie ''Akkuluq'' Ashenfelter. I am saddened to announce with her passing on October 8, 2009, the village of White Mountain and the great State of Alaska lost an elder of great cultural knowledge, wisdom, and language. The magnitude of this loss is better understood by recalling the immense contributions she gave her family, community, and region.

Annie was born in White Mountain on January 24, 1913. She spoke Inupiat as her first language and learned English when she went to school. She completed the third grade.

Annie lived a subsistence life, reliant on the land and its resources to sustain her family. Annie's steadfast connection to her Inupiat identity ensured her children, grandchildren and her many generations to follow would remain grounded in those same cultural roots and values. Annie loved to go camping and fishing, living off the land, spending 90 years of her life sharing this love with her family. She enjoyed preparing Native food and sharing what she had with others. Annie was a talented sewer, of both children's clothing and animal skins. She made all 10 of her children's clothing: pants, shirts, parkies, mukluks, and mittens.

Annie was a pillar of her community. She had strength of character, embodied knowledge of the land, and symbolized the resilience of the Inupiat people. Her kind heart has left a permanent mark on the lives of countless individuals. Annie was easy to laugh, had good memories, and enjoyed the simple things in life: getting up in the morning, having her morning cup of coffee, sitting at the window and observing life in White Mountain. Annie never had a bad word to say about anyone, ever. Even during the difficult times, she lived her life with grace, humor, love, strength, joy and understanding. Annie was a strong Fish River Inupiaq woman.

Mr. President and colleagues, please join me in honor and remembrance of Annie ''Akkuluq'' Ashenfelter, whose love and wisdom will forever be in the memories of those who loved and knew her.•

TRIBUTE TO EDEN SUTLEY

• Ms. LANDRIEU. Mr. President, I come to the floor today to honor a very special Louisianian, Eden Sutley, who has served her State and Nation with great distinction. Eden is a Lafayette, LA, native who is currently a junior at the George Washington University in Washington, DC. Just like Louisiana's senior Senator, Eden Sutley is a proud member of the Delta Gamma Fraternity.

Winston Churchill, one of the great figures of World War II, once said: ''We make a living by what we do, but we make a life by what we give.''

Eden Sutley may not know what she wants to do to earn a living after college, but her volunteer spirit and desire to give back to the ''greatest generation'' precisely highlights the sentiment to which Mr. Churchill refers.

At the urging of her father, 2 years ago Eden became involved with Louisiana HonorAir Program. This group, based in Eden's hometown of Lafayette, honors surviving World War II veterans by giving them an opportunity to see the Washington, DC, memorials dedicated to their service. After flying up from Louisiana, the veterans visit the World War II, Korea, Vietnam and Iwo Jima memorials and travel to Arlington National Cemetery.

Eden Sutley has played an important role during HonorAir's trips to Washington, DC. For each visit, Eden organizes about 40 of her sorority sisters to come out and assist these World War II heroes. They help by pushing wheelchairs, taking pictures, and handing out water as these Louisiana World War II veterans experience the Nation's Capital, many for the first time.

In all, Eden has recruited over 200 sorority sisters to lend a hand to our HonorAir veterans. They have volunteered on more than a dozen Saturdays since 2007, helping over 1,000 veterans. There have been seven different flights this year alone, including the last trip of the year, which occurred October 24.

Volunteering with HonorAir to assist the World War II veterans is so popular among her fellow Delta Gammas that some sisters come back to help out even after they have graduated. Eden has also inspired two other Louisianians, Terricia Soyombo and Brooke Oschner, who are also Delta Gammas at George Washington University, to become part of this effort. Through her role as Delta Gamma president at George Washington, Eden has been instrumental in getting other Greek organizations involved, as well.

Eden has demonstrated a passion for public service that serves as a model for college students across our great country. On behalf of Louisiana HonorAir and our entire State, I thank Eden for her leadership, for her willingness to give back, and for inspiring others to do the same.•

TRIBUTE TO LOUISIANA WWII VETERANS

• Ms. LANDRIEU. Mr. President, I am proud to honor a group of 97 World War II veterans from all over Louisiana who travelled to Washington, DC, on October 24 to visit the various memorials and monuments that recognize the sacrifices of our Nation's invaluable servicemembers.

Louisiana HonorAir, a group based in Lafayette, LA, sponsored this trip to the Nation's Capital. The organization is honoring surviving World War II Louisiana veterans by giving them an opportunity to see the memorials dedicated to their service. The veterans visited the World War II, Korea, Vietnam, and Iwo Jima memorials. They also travelled to Arlington National Cemetery.

This was the last of three flights Louisiana HonorAir made to Washington, DC this fall. It is the 20th flight to depart from Louisiana, which has sent more HonorAir flights than any other State to the Nation's Capital.

World War II was one of America's greatest triumphs but was also a conflict rife with individual sacrifice and tragedy. More than 60 million people worldwide were killed, including 40 million civilians, and more than 400,000 American servicemembers were slain during the long war. The ultimate victory over enemies in the Pacific and in Europe is a testament to the valor of American soldiers, sailors, airmen, and marines. The years 1941 to 1945 also witnessed an unprecedented mobilization of domestic industry, which supplied our military on two distant fronts.

In Louisiana, there remain today about 30,000 living WWII veterans, and each one has a heroic tale of achieving the noble victory of freedom over tyranny. This HonorAir group had 41 veterans who served in the U.S. Army, 11 in the Army Air Corps, 33 in the Navy, 6 in the Marine Corps, 3 in the Merchant Marines, 1 in the Coast Guard, and 2 were a part of Women's Army Corps, WAC.

Our heroes, many of them from Southeast Louisiana, trekked the world for their country. They fought in Germany, Holland, France, Italy, Africa, Guam, Bougainville, Guadalcanal, Iwo Jima, Okinawa, the Philippines, New Guinea, Japan, and Saipan. Their journeys included the invasions of North Africa, Sicily, and Normandy.

One of our Army veterans fought on the front lines in Europe and was held as a prisoner of war. Another Army veteran was wounded in Bastogne and received a Purple Heart for his service.

One Army Air Corps veteran served in 37 combat missions between 1943 and 1945 as a B–24 tail gunner. One Army veteran served in Normandy during D-day.

Another Army veteran received five battle stars for his service. Yet another one of our Army veterans received a Purple Heart and five medals, including the Bronze Star Medal, for his service in Europe.

I am also proud to acknowledge that of the 97 veterans who visited Washington this past weekend, two were women who served our country with honor and distinction during World War II.

I ask the Senate to join me in honoring these 97 veterans, all Louisiana heroes, who visited Washington. We thank Louisiana HonorAir for making these trips a reality.●

TRIBUTE TO DR. WILLIAM McCORKLE

● Mr. SHELBY. Mr. President, it is an honor to recognize Dr. William McCorkle, who after 52 years of extraordinary service to our Nation, is retiring from Redstone Arsenal in Huntsville, AL.

In the words of Napoleon Bonaparte, ''Victory belongs to the most persevering.''

Dr. McCorkle is a person who has used his perseverance, determination, and forthrightness not only to personally succeed in the Army but more importantly to do what is best for our warfighters.

A 1950 graduate of the University of Richmond with a bachelor of science degree in Physics and a Ph.D. in Physics from the University of Tennessee in 1956, Dr. McCorkle came to Redstone in 1957 from a position at Tulane University.

Not since Dr. Wernher von Braun has one man done more to promote rocket development at Redstone than Dr. McCorkle. Since he joined the Aviation and Missile Command, Dr. McCorkle has been a pillar in the aviation and missile research and development fields.

As director of the Aviation and Missile Research, Development, and Engineering Center, Dr. McCorkle is an internationally recognized leader in aviation and missile technology, and has been involved in virtually every Army rocket and missile development program since 1956. He helped build the very foundation that has made the U.S. Army's aviation and missile programs so successful.

Dr. McCorkle's efforts have been instrumental in taking engineering ideas and transforming them into weapon systems. Dr. McCorkle was key in the development of the Prototype Integration Facility which has transformed the Army's rapid response capability to meet the needs of the soldier in the battlefield.

This facility is on the forefront of providing our servicemembers with quick solutions to critical problems they currently face in combat. Dr. McCorkle's work on this initiative has led to the building of a world-class research program at Redstone Arsenal valued at over $1.2 billion.

More importantly, he has dramatically increased rapid prototyping efforts that have led to significant advancements to unmanned aerial vehicles at use today in combat.

Dr. McCorkle has effectively championed the use and growth of unmanned aerial vehicles and the new capabilities that have increased their value in combat. In conjunction with the Air Force, Dr. McCorkle's team led the development of advanced technology to arm predator unmanned aerial vehicles with Hellfire missiles. This program is now one of the most successful weapon systems being used today in Afghanistan and Iraq.

Under Dr. McCorkle's guidance, aviation research has also flourished. The Aviation and Missile Research, Development, and Engineering Center is heavily involved in the research and development initiatives behind many of the most utilized Army helicopter programs, including those on the Apache, Black Hawk, and Chinook helicopters.

After the rapid development of blue force tracking, a new capability that tracks the location of friendly and hostile military forces, units overseas were able to install this technology directly in the field.

Continuously, throughout Operation Iraqi Freedom, it was reported that blue force tracking systems were working flawlessly, even allowing troops to fly in formation during sandstorms and brown-out conditions. This is an invaluable advancement for our soldiers and Dr. McCorkle ensured it was delivered to our servicemembers in the field at a critical time.

Dr. McCorkle's work has significantly improved technology development and reduced the time to field equipment, ensuring our warfighters are the best equipped fighting force in the world. His work has also reduced the cost of these programs for the taxpayer.

Under his direction, the Aviation and Missile Research, Development, and Engineering Center developed the Department of Defense's Best Value Engineering Program, which has consistently achieved 70 percent of the Army Materiel Command's total savings and 30 percent of the Department's total savings. His Service Life Prediction Program has achieved over $8 billion in cost avoidance.

Dr. McCorkle has been on the forefront of new technology to provide our warfighters with the best equipment and our nation the best defense from those who wish to threaten us.

Under his guidance and leadership, the Aviation and Missile Research, Development, and Engineering Center was consistently recognized as an Army Materiel Command Laboratory of Excellence and formally recognized as the Army's best laboratory eight times.

I thank Dr. McCorkle for his years of service to our Nation, the Army and, most importantly, the warfighter. He has been a genuine asset to both the Service and the warfighter.

In everything he did, Dr. McCorkle strove for excellence in himself and sought to inspire the same in those around him.

His leadership, experience, and expertise have advanced our rocket, missile, and aviation programs beyond what was ever imagined when he first came to work for the Army. I am proud to have worked with Dr. McCorkle for over 30 years, but I am even more honored to call him my friend.

Dr. McCorkle, I wish you and your wife Nancy the very best as you enjoy your well-deserved retirement.●

TRIBUTE TO GORDON J. JONES

● Mr. THUNE. Mr. President, today I wish to honor the life of Gordon J. Jones of the Flandreau Santee Sioux Tribe, who passed away on October 6. He was a man of great faith in God and had a strong conviction to serve his country, State, city, and Santee Sioux tribal community in many generous and selfless capacities.

After graduating from Oglala Community High School in Pine Ridge, SD, Gordon joined the Armed Forces and served in the Air Force until his discharge in 1954. Eventually, he returned home to Pine Ridge to work as a police officer.

Gordon went on to serve the Flandreau Santee Sioux Tribe in a number of leadership positions, including tribal chairman, treasurer, trustee, and judge. His knowledgeable and competent abilities remained evident throughout his service in each of these official tribal roles. Gordon also fought for the interests of Indian Country during his time with the Bureau of Indian Affairs and as the executive director of the Flandreau Santee Sioux Gaming Commission. His leadership and guidance while with the Commission resulted in greater accountability within Indian gaming in the form of the National Indian Gaming Regulations, which he was instrumental in developing.

Gordon's lifelong service to veterans and citizens of South Dakota is reflected in his membership in the American Indian Veteran Lodge, the American Legion, the Flandreau Bible Church, the Kiwanis, the Shriners, and the VFW. Gordon was the longest serving member of the South Dakota Human Rights Commission which he served on from 1985 and resigned in 2001 due to health issues. He was the legion chaplain for South Dakota from 1997–1998. This type of active and continuous involvement stands as a testament to Gordon's commitment to his community and his fellow South Dakotans. It is this type of selfless volunteerism which makes South Dakota truly great.

Gordon's opinions and actions influenced policies and decisions at all levels of government. His involvement within his local community, his service to his tribe and State, his time in the Armed Forces and his testimony before U.S. congressional leaders all speak to the great devotion and passion which Gordon demonstrated throughout his life. His many accomplishments show the enormous difference a single life can have on so many others. South Dakota is better because of the life and efforts of Gordon. This life of active service and involved citizenship provides an example for each of us to follow.●

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.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3962. An act to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes.

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. BAUCUS (for himself, Mr. GRASSLEY, and Mr. CRAPO):

S. 2771. A bill to amend the Internal Revenue Code of 1986 to limit the penalty for failure to disclose reportable transactions based on resulting tax benefits, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. CORNYN, and Mr. LEAHY):

S. 2772. A bill to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety; to the Committee on the Judiciary.

By Ms. COLLINS:

S. 2773. A bill to require the Secretary of Energy to carry out a program to support the research, demonstration, and development of commercial applications for offshore wind energy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY:

S. 2774. A bill to amend title XVIII of the Social Security Act to prevent Medicare payments being lost to fraud, waste, or abuse; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2775. A bill to provide authority and sanction for the granting and issuance of programs for residential and commuter toll, user fee and fare discounts by States, municipalities, other localities, as well as all related agencies and departments thereof, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ALEXANDER (for himself and Mr. WEBB):

S. 2776. A bill to amend the Energy Policy Act of 2005 to create the right business environment for doubling production of clean nuclear energy and other clean energy and to create mini-Manhattan projects for clean energy research and development; to the Committee on Energy and Natural Resources.

By Ms. SNOWE:

S. 2777. A bill to repeal the American Recovery Capital loan program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, Mr. VOINOVICH, Mr. MERKLEY, and Mr. VITTER):

S. 2778. A bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR:

S. 2779. A bill to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 254

At the request of Mrs. LINCOLN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 254, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 491

At the request of Mr. WEBB, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 524

At the request of Mr. FEINGOLD, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 524, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

S. 557

At the request of Mr. KOHL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 727

At the request of Ms. LANDRIEU, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 727, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

S. 1057

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1057, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Tennessee

(Mr. CORKER) was added as a cosponsor of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1076

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1130

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1130, a bill to provide for a demonstration project regarding Medicaid reimbursements for stabilization of emergency medical conditions by non-publicly owned or operated institutions for mental diseases.

S. 1147

At the request of Mr. KOHL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1147, a bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

S. 1153

At the request of Mr. SCHUMER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1160

At the request of Mr. SCHUMER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1160, a bill to provide housing assistance for very low-income veterans.

S. 1228

At the request of Mr. AKAKA, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1228, a bill to amend chapter 63 of title 5, United States Code, to modify the rate of accrual of annual leave for administrative law judges, contract appeals board members, and immigration judges.

S. 1345

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1366

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate a portion of their income tax payment to provide assistance to homeless veterans, and for other purposes.

S. 1389

At the request of Mr. NELSON of Nebraska, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1389, a bill to clarify the exemption for certain annuity contracts and insurance policies from Federal regulation under the Securities Act of 1933.

S. 1545

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1545, a bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 1559

At the request of Mr. KERRY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1559, a bill to consolidate democracy and security in the Western Balkans by supporting the Governments and people of Bosnia and Herzegovina and Montenegro in reaching their goal of eventual NATO membership, and to welcome further NATO partnership with the Republic of Serbia, and for other purposes.

S. 1608

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1608, a bill to prepare young people in disadvantaged situations for a competitive future.

S. 1646

At the request of Mr. REED, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1646, a bill to keep Americans working by strengthening and expanding short-time compensation programs that provide employers with an alternative to layoffs.

S. 1653

At the request of Mr. LEAHY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1653, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 1709

At the request of Mr. THUNE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 1798

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1798, a bill to provide for the automatic enrollment of demobilizing members of the National Guard and Reserve in health care and dental care programs of the Department of Veterans Affairs, and for other purposes.

S. 1963

At the request of Mr. AKAKA, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1963, a bill to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2758

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2758, a bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to establish a national food safety training, education, extension, outreach, and technical assistance program for agricultural producers, and for other purposes.

S. 2767

At the request of Mr. CORNYN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2767, a bill to provide additional resources and funding for construction and infrastructure improvements at United States land ports of entry, to open additional inspection lanes, to hire more inspectors, and to provide recruitment and retention incentives for United States Customs and Border Protection officers who serve on the Southern Border.

S. RES. 341

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 341, a resolution supporting peace, security, and innocent civilians affected by conflict in Yemen.

S. RES. 345

At the request of Mrs. BOXER, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 345, a resolution deploring the rape and assault of women in Guinea and the killing of political protesters.

AMENDMENT NO. 2759

At the request of Mr. DURBIN, the names of the Senator from Illinois (Mr. BURRIS), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 2759 proposed to H.R. 3082, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2760

At the request of Mr. DURBIN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Montana (Mr. TESTER) were withdrawn as cosponsors of amendment No. 2760 proposed to H.R. 3082, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2774

At the request of Mr. INHOFE, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Texas (Mr. CORNYN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of amendment No. 2774 proposed to H.R. 3082, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself, Mr. GRASSLEY, and Mr. CRAPO):

S. 2771. A bill to amend the Internal Revenue Code of 1986 to limit the penalty for failure to disclose reportable transactions based on resulting tax benefits, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Today, I am pleased to introduce the Small Business Penalty Relief Act of 2009 with my good friend and Ranking Member of the Finance Committee, CHUCK GRASSLEY.

The bill provides much needed penalty relief to small businesses across America that are being assessed large penalties by the Internal Revenue Service because they unknowingly invested in something called a ''listed tax shelter transaction.''

Many of these businesses thought they were putting their money into sound investments for the benefit of their employees and learned only after they were audited by the IRS that they instead had invested in something the IRS considers to be a tax shelter.

Most small businesses do not have the resources to pay sophisticated tax lawyers and accountants to review all their business decisions. They have to do the best they can on their own. And that is how they ended up in the middle of a nightmare with the IRS.

When a business invests in a listed tax shelter, the law requires that business to attach a form to the tax return telling the IRS about the shelter. If the business doesn't attach the form, it can be subject to a penalty of $200,000 per year. If the business has elected Subchapter S status, an additional $100,000 penalty applies at the individual level. Total penalties can add up to $300,000 each year. Multiply that by several years, and you can easily approach $1 million or more in penalties for a tax shelter you didn't even know you had.

In the case of many small businesses, the annual tax benefit from their investment is quite minor—perhaps as small as $15,000. The $300,000 penalty plainly is out of whack.

Just to be clear, Senator GRASSLEY and I are not soft on tax shelters. We spearheaded legislation in 2004 that gave the IRS better tools to stop individuals and big companies from cleverly manipulating the tax code to avoid paying the taxes they owed. Our efforts were focused on egregious deals that cheated the U.S. Government out of millions and billions of dollars. Our efforts have made a serious dent in the proliferation of abusive tax scams and schemes.

But we didn't intend that the 2004 legislation would end up threatening the existence of small businesses in Montana and across America, and the livelihoods of their employees who risk losing their jobs if the business goes under.

Small businesses are struggling already. They don't need the added and unfair burden of a penalty that can be as much as 20 times larger than the taxes they saved.

This bill changes the way the penalty is calculated. The penalty is based on a percentage of the tax benefit resulting from the investment. It is fairer and won't drive these companies out of business.

Small businesses are the backbone of our Nation. Particularly in these tough economic times, we must make sure the tax laws reflect the important role that small business plays in our Nation's economic health and our citizens' economic security.

By Mr. WHITEHOUSE (for himself, Mr. CORNYN, and Mr. LEAHY):

S. 2772. A bill to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety; to the Committee on the Judiciary.

Mr. WHITEHOUSE. Mr. President, I am proud today to join Senators CORNYN and LEAHY in introducing the Criminal Justice Reinvestment Act of 2009, a bill designed to help States and localities approach spending on corrections in a more rational manner, better manage growth in the prison and jail populations, and increase public safety.

Over 2,200,000 American adults are incarcerated in state and local prisons and jails; the prison population alone nearly tripled between 1987 and 2007, from 585,000 to almost 1,600,000 inmates. States, in turn, have increased spending on corrections by $40 billion in the past 20 years. Despite the continued growth of the inmate population, about half the states plan to cut corrections budgets for fiscal year 2010 amid budget shortfalls.

Most policymakers have limited access to detailed, data-driven explanations about changes in crime, arrests, convictions, and prison and jail population trends. The Criminal Justice Reinvestment Act will provide them with the resources to undergo a thorough analysis of the drivers of growth, and to create and implement policy options to manage that growth.

Specifically, the legislation will create a two-part grant program for governments to analyze criminal justice trends, develop policy options to address growth in the corrections system, and implement and measure the impact of the policy changes. Through Phase 1 grants, government entities will be able to conduct a comprehensive analysis of corrections data, evaluate the cost-effectiveness of state and local spending on corrections, and develop policy options suggested by the analysis. Phase 2 grants will provide funds to help government entities implement those policy options and to measure their effectiveness.

Model programs in several states have already found this kind of data study helpful in managing the costs of a growing inmate population. An analysis of prison data in my home state of Rhode Island, for example, prompted legislation to standardize the calculation of earned time credits, establish risk reduction program credits, and require the use of risk assessments to inform parole release decisions. In Texas, the home State of one of my cosponsors, Senator CORNYN, the solution was much different but equally effective—following its analysis, the State invested $227 million on treatment programs and residential facilities to curb population growth, which averted spending $523 million on new prisons.

The Criminal Justice Reinvestment Act will help state and local governments spend their limited corrections budgets in a more targeted, rational way to both manage inmate population growth and protect public safety. I urge my colleagues to support this legislation.

Mr. LEAHY. Mr. President, I am pleased to join Senators WHITEHOUSE and CORNYN in introducing the Criminal Justice Reinvestment Act of 2009. This important bipartisan legislation would help jurisdictions control the increased costs facing correctional systems across the country, while also improving public safety and reducing recidivism.

In recent years, Federal and State governments have passed many new criminal laws creating more and longer sentences for more and more crimes. As a former prosecutor, I strongly believe in securing tough and appropriate prison sentences for people who break our laws. But while it is important to ensure that serious crimes result in significant sentences, we must also work to make our criminal justice system as effective and efficient as possible. That is why I have long championed legislation like the Second Chance Act, which helps ensure that when people get out of prison, they enter our communities as productive members of society, so we can start to reverse the dangerous cycles of recidivism and violence.

We have an obligation to help states cope with overburdened criminal justice systems and rising recidivism rates. Over the last twenty years, state spending on corrections has risen from $10 billion to $45 billion a year by some reports, and that number is expected to rise. Despite mounting expenditures, recidivism rates remain high, and by some measures have actually worsened. The fastest growing category of admissions to prison is people already under some form of community supervision, such as probation or parole. We must learn how to break this cycle. Fixing this problem will make our communities safer, and we must act quickly because states simply cannot continue to spend these enormous sums on corrections, especially in these very difficult economic times.

The Criminal Justice Reinvestment Act provides states with the needed technical and financial resources to help them take key steps to break the cycle of recidivism. By helping states implement data-driven strategies to more effectively manage their correctional systems and to reinvest the saving in programs to reduce crime, the bill serves the dual purpose of cutting costs and improving public safety. I look forward to working with Senators WHITEHOUSE and CORNYN and others to ensure the passage of this important legislation.

By Ms. COLLINS:

S. 2773. A bill to require the Secretary of Energy to carry out a program to support the research, demonstration, and development of commercial applications for offshore wind energy, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, today I am introducing legislation that requires the Secretary of Energy to carry out a program of research, development, demonstration and commercial application to advance offshore wind turbine technology. This bill will advance the goal of the Department of Energy to produce 20 percent of our Nation's electricity from wind resources by 2030.

Mr. President, 61 percent of U.S. wind resources is in deepwater, greater than 60 meters, 197 feet, depth. Winds at these locations are stronger and more consistent than closer to shore or on land. But, it will take technological advances to harness this energy efficiently and cost-effectively.

This bill will focus national efforts to develop offshore wind technologies. This should be a national priority because it can produce clean, renewable energy for major U.S. population centers. The 28 coastal U.S. States use 78 percent of the electricity in the U.S. For example, Maine's offshore wind resource is close to the 55 million people who live in New England, New York, New Jersey, and Pennsylvania. This is 18 percent of the total U.S. population.

Developing cost-competitive offshore wind technology will require improvements in the efficiency, reliability, and capacity of offshore wind turbines and reductions in the cost of manufacturing, construction, deployment, generation, and maintenance of offshore wind energy systems. That is why my bill directs the Secretary of Energy to support existing university centers and establish new centers to support research, development, demonstration and commercial application. The bill authorizes $50 million annually tbo over 10 years for the design, demonstration, and deployment of advanced wind turbine foundations and support structures, blades, turbine systems, components, and supporting land- and water-based infrastructure for application in shallow water, transitional depth, and deep water offshore. The bill authorizes full-scale testing and establishment of regional demonstrations of offshore wind components and systems to validate technology and performance; assessments of U.S. offshore wind resources, environmental impacts and benefits, siting and permitting issues, exclusion zones, and transmission needs for inclusion in a publically accessible database; design, demonstration, and deployment of integrated sensors, actuators and advanced materials, such as composite materials; advanced blade manufacturing activity, such as automation, materials, and assembly of large-scale components, to stimulate the development of a U.S.-blade manufacturing capacity; methods to assess and mitigate the effects of wind energy systems on marine ecosystems and marine industries; and other research areas as determined by the Secretary.

This bill would support critical renewable energy research that would help reduce our use of fossil fuels and improve our energy security. I urge my colleagues to support the Offshore Wind Energy Research, Development, Demonstration and Commercial Application Act.

By Mr. GRASSLEY:

S. 2774. A bill to amend title XVIII of the Social Security Act to prevent Medicare payments being lost to fraud, waste, or abuse; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, in 2008, Medicare accounted for about $470 billion of the $2 trillion spent on health care in the U.S..

Conservative estimates are that as much as $60 billion of that Medicare spending is lost to fraud, waste, and abuse each year.

News reports today tell us that the Medicare payment error rate for fiscal year 2009 is going to be 12.4 percent. To put it in a different way, last year, Medicare made 47 billion dollars in improper payments. $47 billion of taxpayer money that by all accounts was wasted by Medicare on payments that shouldn't have been made.

As Medicare spending continues to skyrocket, so will the dollars lost to fraud, waste and abuse.

That problem is bad enough. But it is even worse because it turns out that a rule in the law today makes it easier for crooks to cheat the system and steal money from Medicare.

A recent 60 Minutes segment highlighted how the law as written contributes to the problem and drives this growing danger to the American taxpayer and public coffers.

In this segment, we saw a medical supply company that billed Medicare, $2 million this past July—despite being empty and having apparently no staff.

Federal agents described the problem as far bigger than the drug business in Miami now. They were told it has pushed aside cocaine as the biggest criminal enterprise there.

According to those interviewed by 60 Minutes, an entire health care fraud industry exists today that is committed to doing nothing except finding ways to rip off the Medicare program.

Many of these suppliers don't exist. There is no office that exists and nobody who works there. They recruit doctors and patients and use stolen patient lists, and do nothing but figure out how to steal from Medicare.

One man interviewed said he was waking up every day making $20,000–$40,000 every day. It was like winning the lottery he said. He was running a fake medical supply company that didn't actually sell any medical equipment to anyone. He says he stole at least 20 million dollars from Medicare. He said it was, quote ''real easy.''

All he says he needed was someone pretending to run the office and then he just had to check his bank account every day to see how much money he had made. All he did was fill out forms to Medicare and in 15 to 30 days he would have the money in his bank account.

Even more alarming, he says that there are about 2,000 to 3,000 more fake medical suppliers just in Miami billing Medicare fake claims.

They are able to do this because Federal law puts Medicare in a position of having to ''pay and chase'' health care fraudsters. this is because federal law requires that Medicare pay providers promptly regardless of any risk of fraud, waste, or abuse.

The prompt payment requirement in current law requires payment for a ''clean'' claim within 14 to 30 days. And that is not enough time for the limited number of Medicare auditors to determine if the claim is legitimate before the payment has to be made.

The result is that this ''prompt payment rule'' requires that Medicare pay fraudsters first, and ask questions later.

This requirement in current law doesn't make any sense. I am here today to introduce a bill to fix it.

This legislation, the Fighting Medicare Payment Fraud Act of 2009 Act, would provide the government with an important new tool to fight fraud, waste and abuse in Medicare. This bill will stop the cycle of ''paying and chasing.'' This legislation would protect

Federal taxpayer dollars from being wasted on suspicious payments that are required to be made because of the prompt payment rule.

Today, the prompt payment rule applies to all payments regardless of the risk that those payments would be to fly-by-night operators. But this legislation ends the policy of pay first and ask questions later.

This legislation gives the Secretary of Health and Human Services the authority to ask questions first and then and ONLY then to make the payment if the health care provider and the payment for services check out.

This bill accomplishes that by extending the time period in which payments must be made under the prompt payment rule in cases where the Secretary determines there is a likelihood of fraud, waste or abuse.

For categories of providers or suppliers, the payment time period can be extended to up to one year. For individual providers or suppliers, the Secretary would be required to take whatever time is necessary to engage in more in-depth reviews to determine that the claims are supposed to be paid in the first place.

With this additional time, the Secretary would be required to conduct more detailed reviews of suspicious claims to make sure they are supposed to be paid.

This would help ensure that Medicare dollars are in fact going to bona fide providers, instead of fraudsters with empty strip mall medical supply companies.

Finally, this legislation requires the experts in the Office of Inspector General to recommend, on at least an annual basis, categories of providers or suppliers that warrant additional time before payments are made under the prompt payment rule.

To make sure there is action on these recommendations, the Secretary would be required to provide a response to the Inspector General on these recommendations.

With this new authority to fight health care fraud, the Federal Government will be in a better position to protect taxpayer dollars and catch health care crooks.

Crooks are taking advantage of Medicare's prompt payment requirement. They know they can bill Medicare, get their payment, and be gone before they get caught. And Federal law enables it to happen. That has got to end. This legislation takes that step.

By Mr. ALEXANDER (for himself and Mr. WEBB):

S. 2776. A bill to amend the Energy Policy Act of 2005 to create the right business environment for doubling production of clean nuclear energy and other clean energy and to create mini-Manhattan projects for clean energy research and development; to the Committee on Energy and Natural Resources.

Mr. ALEXANDER. Mr. President, Senator WEBB of Virginia, the colleague of the Presiding Officer, and I are introducing legislation today to propose that the United States build its clean energy future upon the lessons of the Manhattan Project of World War II. That helped end the war. It was a millions-of-man-hour effort that the New York Times called ''without doubt, the most concentrated intellectual effort in history.''

Specifically, we will introduce legislation to create the business and regulatory environment to double our country's nuclear power production within 20 years and to launch five mini-Manhattan Projects to make advanced clean energy technologies effective and cost-competitive.

The most important thing I can say is that the senior Senator from Virginia and the junior Senator from Virginia and I have all talked about this subject before. I think we see there is a great deal of consensus in this body about some steps we can take on clean energy. So what Senator WEBB and I are hoping to do with this framework is to see on a one-on-one basis whether it is the kind of framework that will permit us to work with other Senators who expressed an interest in nuclear power and energy research and development. And while we are contending about economy-wide cap and trade, we could move ahead with these steps that have to do with clean energy, clean air, climate change, low-cost, reliable energy.

In other words, this is a piece of legislation that you can support if you are for an economy-wide cap and trade or if you are against an economy-wide cap and trade. There are some things we can do to help our country that also help us deal with climate change.

In 1942, President Franklin D. Roosevelt asked Senator McKellar, the Tennessean who chaired the Appropriations Committee, to hide $2 billion in the appropriations bill for a secret project to win World War II. Senator McKellar replied:

> That should be no problem, Mr. President. I have just one question: Where in Tennessee do you want me to hide it?

That place in Tennessee turned out to be Oak Ridge, one of the three secret cities that became the principal sites for the Manhattan Project that split the atom and built a bomb before Germany could. Nearly 200,000 people worked on the project in 30 different sites in 3 countries.

President Roosevelt's $2 billion appropriation would be $24 billion today.

After World War II, in 1947, ADM Hyman Rickover came to Oak Ridge for training that led to the nuclear Navy that helped to defend our country for half a century. Shortly thereafter, in December 1953, President Eisenhower proposed his Atoms For Peace Program that has grown into the world's most effective supplier of large amounts of reliable, carbon-free, low-cost electricity.

The rest of the world has a new interest in this American success story, as countries seek energy independence, clean air, cheap energy for job creation, as well as carbon-free energy to deal with global warming. The Chinese are starting a new nuclear powerplant every 2 or 3 months. The Japanese obtain a third of their power from nuclear plants and build new reactors from start to finish in less than 4 years. France gets 80 percent of its electricity from nuclear power and, as a result, has among the lowest electricity rates and carbon emissions in Western Europe. Russia plans to double its nuclear power capacity. The United Arab Emirates is planning three new reactors by 2020, and just last week the United Kingdom announced it will build 10. Yet the country that invented this remarkable technology, the United States of America, has not started a new nuclear powerplant in 30 years even though we still get 70 percent of our carbon-free electricity and 19 percent of all our electricity from 104 reactors built between 1970 and 1990.

It is true that there are other promising forms of low-carbon and carbon-free renewable energy, but the stark reality is that there is a huge gap between this renewable electricity we would like to have and the reliable, low-cost electricity that a country that uses 25 percent of all the energy in the world has to have.

Today, despite heavy subsidies, wind, solar, geothermal, biomass renewable energy produce only 3 percent of U.S. electricity. The Energy Information Administration forecasts a 22-percent increase in U.S. electricity demand during the next 20 years. For that much electricity, our country simply cannot rely solely on conservation, on windmills and solar panels or even on natural gas. We are fortunate to have a new, massive natural gas set of discoveries in the United States, but a natural gas powerplant still produces about half as much carbon as a new coal plant. And if too many natural gas plants are built, today's low prices could mean high prices tomorrow for farmers, homeowners, and manufacturers.

Add to that a recent Nature Conservancy scientific paper that warned of a coming renewable energy sprawl, especially from biofuels, biomass, and wind turbines, that would consume an area the size of West Virginia. A biomass plant, for example, that would produce as much electricity as one nuclear reactor on 1 square mile would require continuously deforesting an area about 1.5 times the size of the Great Smoky National Park. Producing 20 percent of our electricity from 50-story wind turbines, as some have suggested, would require covering an area the size of West Virginia and building 19,000 miles of new transmission lines.

When these are strung along scenic ridgetops, coastlines, or other treasured landscapes, we will be destroying the environment in the name of saving the environment. Solar and wind installations require between 30 and 270

square miles to duplicate the output of just one nuclear reactor on 1 square mile. Moreover, these energy sources must be backed up by other generation since they only produce power when the wind blows or the Sun shines, and that electricity cannot be stored in large amounts. There is only one wind farm in the entire Southern United States because the wind doesn't blow enough. In the Tennessee Valley Authority region, solar costs at least four to five times as much as other electricity that TVA buys.

As for green jobs, according to the Department of Energy, there will be 250,000 construction jobs for 100 new nuclear plants. This would compare with 73,000 jobs to construct the 180,000 wind turbines needed to produce 20 percent of our electricity from wind. Of course, producing a lot of cheap, reliable energy is the best way to produce new jobs.

Think of it this way. If we were going to war, we wouldn't mothball our nuclear Navy and start subsidizing sailboats. If climate change, as well as low-cost, reliable energy are national imperatives, we should not stop building nuclear plants and start subsidizing windmills. I am on the side of those who say we need to deal with climate change. The national academies of 11 industrialized countries, including the United States, have said humans probably have caused most of the recent global warming.

If fire chiefs of the same reputation said my house might burn down, I would buy fire insurance, but I would buy insurance that worked and that was not so expensive that I couldn't pay my mortgage or my hospital bill.

Fortunately, there are two steps that will benefit our country in multiple ways—namely, cleaner air; more energy independence; more reliable, low-cost power—and will also help fight global warming. The first is to double production of electricity from carbon-free nuclear power, which would mean building 100 new plants as we did between 1970 or 1990 or a larger number of the new, small, and modular reactors now being discussed. The second is to apply to the promising new technologies, such as the renewable technologies, the same discipline and resources we did with the original Manhattan Project in order to make them effective and cost competitive.

That is why the bill Senator WEBB and I are introducing today, the Clean Energy Act of 2009, proposes the following: No. 1, loan guarantees: $100 billion to encourage startup of all forms of carbon-free electricity production, expanding the $47 billion loan guarantee program that exists today, and $18 billion of those funds are currently available for nuclear projects.

Secretary Chu has suggested it should be in the forties. I believe that number should be closer to the sixties or the seventies. But the purpose of this is to get the first few nuclear plants up and running, and then the money is paid back. The Congressional Budget Office estimates this could cost up to $10 billion but might cost much less. New reactor designs, $1 billion over 5 years to enable the Nuclear Regulatory Commission to review new designs such as the generation 4 reactors that don't isolate plutonium and, therefore, help solve the used nuclear fuel problems, and small modular reactors that can be built in U.S. factories and assembled on site such as LEGO blocks. No. 3, nuclear workforce, $1 billion over 10 years to ensure a supply of nuclear engineers, operators, and craftsmen such as welders and pipe fitters. Americans have a generation gap in these skilled personnel. No. 4, more power from existing reactors. This would be $500 million over 10 years to increase the efficiency and develop longer lifetimes for our existing 104 reactors. If we did both of these things, we might create the equivalent production of 20 or 30 more reactors. Then, finally, the five new, what we call mini-Manhattan Projects for clean energy.

Here are the five mini-Manhattan Projects: $750 million per year over 10 years for research and development on, No. 1, carbon capture emissions from coal plants. In many ways that is the holy grail of energy R&D. If we can find a way to do that, we can have all of the low-cost, clean electricity we can use. No. 2, develop advanced biofuels from crops that we don't eat; No. 3, improve batteries for electric cars so instead of taking us 100 miles without recharging, they might take us 300 or 400 miles; make solar power more cost competitive.

That has the most promise in terms of renewable energy because we have rooftops on which to put the panels. They just cost too much today. Then recycling used nuclear fuel in a way that doesn't isolate plutonium, that reduces by 99.9 percent the radioactive life of what is left, and by 97 percent the mass we have to deal with. The cost to taxpayers over 20 years would be no more than $20 billion. There would be no new energy taxes or mandates. This $20 billion would compare with $170 billion we would spend in taxpayer subsidies, if we were to produce 20 percent of our electricity from wind, not counting the billions more for transmission lines.

By my computation, if we actually did build 100 nuclear plants in 20 years, as well as electrify half our cars and trucks in 20 years, which we should be able to do without building one new powerplant if we plugged them in at night, we would come close to reaching the 1990 Kyoto global warming protocols without expensive new energy taxes. Reaching that goal is even more likely if some of our mini-Manhattan Projects produce results we hope for from new technologies.

The world nuclear power revival is well underway. With our Clean Energy Act of 2009, that revival might finally reach American shores where it began. The lessons of the Manhattan Project could advance the days when more nuclear power and new forms of clean energy can make us more energy independent, clean our air, help fight global warming, and produce large amounts of reliable, low-cost, clean electricity that will keep American jobs from going overseas looking for cheap energy.

I ask unanimous consent to have printed in the RECORD a one-page summary of the Alexander-Webb legislation, called the Clean Energy Act of 2009.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ALEXANDER-WEBB—CLEAN ENERGY DEPLOYMENT ACT OF 2009

To create the business and regulatory environment to double nuclear production in 20 years and establish 5 Mini-Manhattan projects to make advanced clean energy technologies effective and cost-competitive

1. Carbon-Free Electricity Loan Guarantees: $100 Billion for technology-neutral carbon-free electricity loan guarantee program. CBO estimates cost at $10 billion (may cost less). Secretary Chu has suggested doubling the $18.5 billion available today for nuclear power.

2. New Reactor Designs: $250 million per year for five years to enable the Nuclear Regulatory Commission (NRC) to review new nuclear reactor designs such as Generation IV or small modular reactors. (Would not impact NRC review of potential sites for nuclear power plants.) Reaffirm the federal government's commitment to dealing with spent nuclear fuel.

3. Nuclear Workforce: $100 million per year for ten years for education, workforce development and training to ensure a supply of nuclear engineers, operators and craftsmen such as welders and pipefitters.

4. More power from existing reactors: $50 million per year for ten years for nuclear reactor lifetime-extension and efficiency research. Increased efficiency and longer lifetimes for existing 104 reactors could equal the production of 20-30 new reactors.

5. Five Mini-Manhattan Projects for Clean Energy R&D: ($750 million per year for ten years). Clean Coal: to make carbon capture and storage a commercial reality ($150 million per year). Advanced Biofuels: clean fuels from crops we don't eat ($150 million per year). Advanced Batteries: for electric vehicles ($150 million per year). Solar Power: to make solar power cost competitive ($150 million per year). Recycling Used Nuclear Fuel: ($150 million per year). Support Secretary Chu's Blue-Ribbon Panel on what to do with used nuclear fuel.

Decide upon the best way to recycle used nuclear fuel.

i. Proliferation-resistant (no pure plutonium).

ii. Reduce radioactive lifetime of final used fuel product by 99.97 percent.

iii. Reduce volume and mass of final used fuel by 97 percent of what it is today.

Develop Generation IV reactors that will consume recycled nuclear fuel.

Total 20 year cost would be no more than $20.25 billion.

*While the loan guarantee program is scored at 1 percent for nuclear loans and 10 percent for other program participants, this proposal uses a 10 percent score for all loan guarantees.

ALEXANDER-WEBB—CLEAN ENERGY ACT OF 2009

To create the business and regulatory environment to double nuclear production in 20

years and establish 5 Mini-Manhattan projects to make advanced clean energy technologies effective and cost-competitive

1. Carbon-Free Electricity Loan Guarantees: $100 Billion for technology-neutral carbon-free electricity loan guarantee program. CBO estimates cost at $10 billion (may cost less). Secretary Chu has suggested doubling the $18.5 billion available today for nuclear power.

2. New Reactor Designs: $200 million per year for five years to enable the Nuclear Regulatory Commission (NRC) to review new nuclear reactor designs such as Generation IV or small modular reactors. (Would not impact NRC review of potential sites for nuclear power plants.) Reaffirm the federal government's commitment to dealing with spent nuclear fuel.

3. Nuclear Workforce: $100 million per year for ten years for education, workforce development and training to ensure a supply of nuclear engineers, operators and craftsmen such as welders and pipefitters.

4. More Power from Existing Reactors: $50 million per year for ten years for nuclear reactor lifetime-extension and effiency research. Increased efficiency and longer lifetimes for existing 104 reactors could equal the production of 20–30 new reactors.

5. Five Mini-Manhattan Projects for Clean Energy R&D: ($750 million per year for ten years). Clean Coal: to make carbon capture and storage a commercial reality ($150 million per year). Advanced Biofuels: clean fuels from crops we don't eat ($150 million per year). Advanced Batteries: for electric vehicles ($150 million per year). Solar Power: to make solar power cost competitive ($150 million per year). Recycling Used Nuclear Fuel: ($150 million per year).

Support Secretary Chu's Blue-Ribbon Panel on what to do with used nuclear fuel. Decide upon the best way to recycle used nuclear fuel.

i. Proliferation-resistant (no pure plutonium).

ii. Reduce radioactive lifetime of final used fuel product by 99.97 percent.

iii. Reduce volume and mass of final used fuel by 97 percent of what it is today.

Develop Generation IV reactors that will consume recycled nuclear fuel.

Total 20 year cost would be no more than $20 billion.

While the loan guarantee program is scored at 1 percent for nuclear loans and 10 percent for other program participants, this proposal uses a 10 percent score for all loan guarantees.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WEBB. Mr. President, I am pleased to be cosponsoring this legislation with the senior Senator from Tennessee. This is a strong attempt by both of us to go toward the area of problem solving rather than political rhetoric that surrounds a lot of this issue when we examine the pieces of legislation that are before us that are making an attempt at solving climate change issues. They are, in some cases, in contradiction to what our energy needs are at large.

On the one hand we stopped building nuclear powerplants 30 years ago because of widespread fears among people who were in the political process about the technology that was involved. On another level we stopped drilling for oil offshore after some incidents, now 40 years ago. Then on another level, we heard repeatedly that coal was too dirty.

At the same time we consume more and more energy, rightfully so, given the productivity of the country and the state of our economy. But we are in contradiction in terms of what we need versus what we fear. I believe the time has come for us to focus on those areas in terms of energy production that we know are achievable, that we know are safe, where we know we are good and which also can contribute positively in the area of climate change.

We have an enormously complex climate change bill that was passed in the House. We have another enormously complex climate change bill that may be before the Senate. We can't predict whether those bills will pass. If they do pass, we know there are some detriments. What Senator ALEXANDER and I are trying to do on a bipartisan basis, hopefully, with the support of our colleagues, is to put a simple piece of legislation forward that will address the areas that are achievable, that can give us an end result and get this legislation passed, while all of these other issues continue to be examined.

Senator ALEXANDER outlined the major points of this legislation. I would like to emphasize a couple. One is that we will be able to provide $100 billion in loan guarantees, but that is not $100 billion in money. That is $100 billion in guarantees. It depends on the success rate. The basic projection on this is that it will be between 1 and 10 percent of that $100 billion that our taxpayers actually would be required to pay. So we are going to be able to bring at least a dozen nuclear powerplants online.

When I say ''nuclear powerplants,'' I mean the electrical generation capability of a traditional nuclear powerplant. We may have more than those given the miniaturization of nuclear power that is now underway.

We are going to be able to develop a nuclear workforce. Let me stay on this point for a minute. Senator ALEXANDER was a former Secretary of Education. I have spent all of my life, since I was 18 years old, in and around the naval service from which our nuclear power programs first began. One of the great benefits of the nuclear power program in the United States has been quality individuals whose talents are unmatched around the world.

I first watched this when I was at the Naval Academy many years ago, where among the brightest people at the Naval Academy, many were selected for the nuclear power program. They went through intensive training. But also among the enlisted sailors, the quality of the training was unsurpassed. We would like to see this take place in terms of workforce development in the United States.

We want to put $100 million a year in over a 10-year period to develop superb craftsmen as well as nuclear engineers.

We are looking at many mini-Manhattan Projects for alternate energy. This doesn't simply narrow the focus to nuclear energy. But we do know right now, even though we haven't built a new nuclear powerplant in the United States for 30 years, that 70 percent of the carbon-free electrical power in the United States comes from nuclear energy.

This is a good match for what people are trying to do in the area of climate change. I believe the way we have designed this legislation is focused. I am comfortable with the fact that the expansion of nuclear power as an alternate energy is doable. It is reasonable in scope and in cost. It will go a long way toward our eventual goal of dramatically reducing carbon dioxide emissions. As a result, this is legislation that will be beneficial to our economy, to our national health, to our position around the world.

I hope colleagues will join us in moving this legislation forward. We can do it in a timely manner, and we know the results are there.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Virginia, Mr. WEBB, for his leadership. He brings a special knowledge to this because of his background in the Navy as an engineer and as Secretary of the Navy. Thousands of our sailors have lived on top of reactors for 50 years safely. This is an idea that has broad support on both sides of the aisle, I believe. We have gotten so stuck on arguing about the economy-wide cap and trade that we have failed to notice the areas where we may be able to agree. We certainly agree on energy research and development.

The President has strongly supported that. We certainly agree on electrification of cars and trucks. The President also strongly supports that.

I believe there is more agreement on nuclear power than we have seen before. So we are going to work with Democratic and Republican Senators who have already expressed such an interest and others who may be thinking about it over the next few weeks to see if this will form a framework for that kind of discussion.

By Ms. SNOWE:

S. 2777. A bill to repeal the American Recovery Capital loan program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, the current recession has caused unemployment to balloon to 10.2 percent and with small businesses creating over ⅔ of all net new jobs, the road to recovery leads through our Nation's small businesses. For this recovery to occur, we must ensure that our small businesses have access to affordable credit so that they can keep their doors open and start hiring some of the 15.7 million Americans who are currently unemployed.

The Senate Committee on Small Business and Entrepreneurship has been extremely active on this issue,

and I thank Chair LANDRIEU for her leadership. The Committee has held a series of hearings on the credit crunch, to explore topics from alternative sources of credit to what policies government can enact that will help small businesses create jobs and weather this recession. In these hearings, the one constant message we have heard is that small businesses need access to capital. This message is borne out by the most recent Federal Reserve's Senior Loan Officer Opinion Survey which shows that banks continue to tighten access to credit for small businesses—and have since the start of this recession.

To help small businesses access credit I have introduced two bills, the 10 Steps for a Main Street Economic Recovery Act, and the Next Steps for a Main Street Economic Recovery Act, which contain provisions that would reduce fees for small business borrowers and lenders, allow refinancing of 7(a) and 504 loans; create a lender platform to give small business borrowers more lending options, and to increase the maximum amount borrowers can take out in 7(a), 504, and microloan loan sizes to give small businesses who have capital needs in excess of the Small Business Administration's current loan sizes more borrowing options.

Many of the key provisions of my 10 steps bill were included in the American Recovery and Reinvestment Act, ARRA, most notably, fee reduction for 7(a) and 504 loans. This provision, along with increasing the guarantee rate on 7(a) loans to 90 percent, has been credited with increasing small business lending by over 70 percent since the passage of the ARRA. I was also pleased that President Obama recently announced his support for the loan limit increases in my Next Steps bill as a part of his plan to expand access to capital for small businesses.

These provisions have helped cushion the shock of the credit crisis for small business borrowers; however, I am concerned with one provision which has not lived up to its initial promise.

The American Recovery Capital, ARC, loan program was included in the American Recovery and Reinvestment Act as a result of a combined effort from both the Chairs and the Ranking Members of the House and Senate with the laudable goal of extending a lifeline to small business borrowers. The program allowed viable small businesses that were having difficulty paying their existing debts to access a 100 percent SBA-guaranteed bank loan to repay these debts. These small business borrowers would receive payments for up to 6 months, and then have a 1-year grace period before repayments on their ARC loan began.

However, since its implementation in June, the ARC loan program has been plagued with difficulties, most notably, the Office of Management and Budget has estimated that based on the underwriting requirements put forth by the administration, 60 percent of borrowers utilizing this program may default on their loans.

The ARC program was intended to assist viable small businesses that will be able to repay the loan, not to add additional debt to those who will not. Proper stewardship of taxpayer dollars demands that we put a stop to any Federal program which does not achieve its stated goals. ARC loans are one such program. My legislation immediately suspends the ARC loan program and returns all unobligated funds back to the Treasury.

We must ensure that above all else, taxpayer funds are protected.

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. 2777

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

SECTION 1. REPEAL OF AMERICAN RECOVERY CAPITAL LOAN PROGRAM.

(a) IN GENERAL.—Section 506 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 157) is repealed.

(b) RETURN OF FUNDS.—Any unobligated balances of the amounts appropriated under the heading ''BUSINESS LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'' under title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 151) for loan subsidies and loan modifications for loans to small business concerns authorized in section 506 of division A of the American Recovery and Reinvestment Act of 2009 are rescinded.

(c) APPLICABILITY.—Any loan guarantee under section 506 of division A of the American Recovery and Reinvestment Act of 2009 entered into before the date of enactment of this Act, shall remain in full force and effect under the terms, and for the duration, of the loan guarantee.

By Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, Mr. VOINOVICH, Mr. MERKLEY, and Mr. VITTER):

S. 2778. A bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, today I am joining some of my colleagues from the Environment and Public Works Committee in introducing a bill to reauthorize the Economic Development Administration, EDA. EDA works with partners in economically distressed communities to create wealth and minimize poverty by promoting favorable business environments to attract private investment and encourage long-term economic growth.

I have long been a strong supporter of EDA. I believe the agency does an outstanding job of providing relatively small grants that help secure significant amounts of private investment in distressed communities across the country. Contrary to what some people would say, the government itself does not—frankly, cannot—expand the economy and create long-term jobs. That is the role of the private sector.

What the government can do, however, is help provide the right conditions for private sector investments to flourish. EDA does this in a myriad of ways, but primarily through infrastructure investments. I only wish more of the so-called ''stimulus'' bill enacted earlier this year had been dedicated to programs like EDA that are truly successful at spurring economic development.

Unlike the majority of the spending in the so-called ''stimulus'' bill, EDA investments actually provide economic benefits. In fact, studies show that EDA uses federal dollars efficiently and effectively, creating and retaining long-term jobs at an average cost that is among the lowest in government.

In my home State of Oklahoma, for example, EDA has worked long and hard with many communities in need to bring in private capital investment and jobs. Durant, Clinton, Tulsa, Oklahoma City, Seminole, Elk City, Muskogee, Woodward, Shawnee, Claremore, Miami and Elgin are just some of the Oklahoma communities that have made good use of EDA assistance. In fact, over the past seven years, EDA grants awarded in my home state have resulted in more than 9,000 jobs being created. With an investment of about $33 million, we have leveraged another 32.7 million in State and local dollars and more than 625 million in private sector dollars. I would call that a wonderful success story.

Authorization of FDA's programs expired on September 30, 2008. I had introduced a reauthorization bill in July, 2008, and the EPW Committee reported a bipartisan bill in September 2008. Unfortunately the bill was not enacted. I again introduced my own reauthorization bill in February of this year. Today I am happy to join my colleagues in introducing a similar bill that I hope will be approved by the Committee and the full Senate in the very near future. Particularly in these difficult economic times, we should be doing all we can to ensure the continuation of successful economic development programs, and EDA reauthorization is an important step.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2781. Mr. JOHNSON (for Mr. DURBIN) proposed an amendment to amendment SA 2779 proposed by Mr. DEMINT to the amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 2782. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2783. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2781. Mr. JOHNSON (for Mr. DURBIN) proposed an amendment to amendment SA 2779 proposed by Mr. DEMINT to the amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the end of the amendment, add the following:

The provisions of the amendment shall become effective 1 day after enactment.

SA 2782. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, 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 Secretary of Veterans Affairs shall coordinate with the Director of the Office of Management and Budget to identify amounts available for fiscal years before fiscal year 2010 for mileage reimbursements of employees of the departments and agencies of the Federal Government that remain available for obligation in order to provide up to $250,000 to be administered by the Department of Veterans Affairs for the operations of the White House Commission on the National Moment of Remembrance established by section 5 of the National Moment of Remembrance Act (36 U.S.C. 116 note) for activities under that Act in fiscal year 2010.

SA 2783. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, 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 52, after line 21, add the following:

SEC. 229. Of the amounts appropriated or otherwise made available by this title under the headings ''VETERANS HEALTH ADMINISTRATION'' and ''MEDICAL SERVICES'', not less than $1,000,000 shall be available for education debt reduction under subchapter VII of chapter 76 of title 38, United States Code, for mental health care professionals who agree to employment at the Department of Veterans Affairs.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate, that the hearing scheduled before Senate Committee on Energy and Natural Resources, for Thursday, November 19, 2009, will begin at 10:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on environmental stewardship policies related to offshore energy production.

For further information, please contact Linda Lance at (202) 224–7556 or Abigail Campbell at (202) 224–1219.

ORDERS FOR TUESDAY, NOVEMBER 17, 2009

Mr. DURBIN. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 17; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; there then be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of H.R. 3082, the Military Construction and Veterans Affairs appropriations. Finally, I ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. When the Senate resumes consideration of the bill tomorrow, it will dispose of the remaining amendments to the bill. We expect there to be up to three rollcall votes beginning around 11:15 a.m., two votes after the recess for the caucus luncheons. Upon disposition of H.R. 3082, there will be up to 1 hour for debate prior to a cloture vote on the nomination of David Hamilton to be U.S. circuit judge for the Seventh Circuit.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:19 p.m., adjourned until Tuesday, November 17, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

AFRICAN DEVELOPMENT BANK

WALTER CRAWFORD JONES, OF MARYLAND, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS, VICE MIMI ALEMAYEHOU.

DEPARTMENT OF STATE

IAN HODDY SOLOMON, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE ELI WHITNEY DEBEVOISE II, TERM EXPIRED.

UNITED STATES TRADE AND DEVELOPMENT AGENCY

LEOCADIA IRINE ZAK, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE TRADE AND DEVELOPMENT AGENCY, VICE LARRY WOODROW WALTHER, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C, SECTION 211(A):

To be lieutenant

RICHARD A. MOOMAW

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

LEON L. ROBERT

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL C. METCALF

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

TODD E. FARMER
STEVEN R. WATT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARK D. CROWLEY
RENEE G. JEFFERSON
ANN M. JOHNSON
KARL F. KNIGHT
KENNETH W. KNOPE
DENNIS J. MALLOY
NEIL J. OCONNOR
JOHN M. PITMAN III
DAVID D. RABB
SHERRI K. SCHUCHMANN
BRENDAN E. SQUIRE
MICHAEL J. STEVENSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

NATHANAEL L. ALLEN
JOHN M. ALTMAN
MATTHEW D. ANDERSON
DAVID W. ASTIN
CHRISTOPHER M. BADO
SCOTT D. BAER
KRISTIN M. BAKER
CHRISTOPHER L. BALLARD
MARK J. BENEDICT
SCOTT J. BERTINETTI
MAURICE T. BLAND
JOHN M. BRADSHER
DAVID E. BRIGHAM
PAUL C. BROTZEN
LYNN K. BYERS
JAMES D. CARPENTER
REBECCA CARTER
ROCKY L. CARTER
TIMOTHY A. CHAFOS
DAVID K. CHAPMAN
CHARLES F. CORSON
TODD A. CYRIL
GREGORY A. DADDIS
PATRICK C. DEDHAM
KEITH A. DETWILER
RONALD C. DODGE, JR.
JAMES E. DODSON
WADE R. DOENGES
ROBERT E. DUKE
RICKY N. EMERSON
DAVID A. EXTON
ROBERT J. FAGAN
STEVAN J. FRENCH
HARRY M. FRIBERG
RONALD J. GARNER
BRADLEY T. GERICKE
PIERRE D. GERVAIS
KARL H. GINGRICH
FRANK J. GONZALES
BARRY F. GRAHAM
GREGORY H. GRAVES
DARRELL R. GREGG, JR.
RICHARD K. GUFFEY
RODNEY T. HAGGINS
JIMMY L. HALL, JR.
PATRICK R. HAMPTON
KEITH R. HARRIS
JEFFRY W. HARTMAN
CLARK H. HEIDELBAUGH

ANDREW R. HEPPELMANN
RALPH G. HIGGINS III
ARTHUR J. HOFFMANN, JR.
MATTHEW J. HOLT
YVETTE C. HOPKINS
PAUL J. HURLEY, JR.
THOMAS L. JAMES
JOHN T. JANISZEWSKI
LINDA C. JANTZEN
PHILLIP D. JANZEN
MARK E. JEFFRIS
DAVID E. JENKINS
JEFFREY E. JENNINGS
WALTER P. JENSEN III
ROBERT H. KEWLEY, JR.
JOSEPH B. KING
ROBERT E. KLINGSEISEN
GERALD C. KOBYLSKI
RANDALL L. KOEHLMOOS
KAZIMIERZ Z. KOTLOW
ANN K. KRAMARICH
DAVID A. LAGRAFFE
JAMES C. LAUGHREY
RANDY H. LAWRENCE
KENNETH A. LENIG
DOUGLAS D. LILLY
DAVID M. LOVEJOY
WILLIAM J. MANGAN
GEOFFREY S. MANGELSDORF
PATRICK E. MATHES
JEFFREY A. MAY
DANIEL J. MCFARLAND
BRIAN S. MCNAUGHTON
JEFFREY L. MEEKER
CHARLES R. MILLER
SCOTT A. MILLER
TIMOTHY D. MITCHELL, JR.
RICHARD D. MONTIETH II
JILL M. NEWMAN
STEVEN M. NORTH
PAUL R. NORWOOD
MICHAEL K. OHARA
JEFFREY T. OPPENHEIM
RICHARD H. OUTZEN
RICHARD A. PAQUETTE
KENDALL T. PARKS
DORT B. PAYNE
MARTIN A. PERRYMAN
JEFFREY C. PREDMORE
PARKER C. PRITCHARD
JAMES D. PRUNESKI
THOMAS A. PUGH
JOSEPH W. RANK
JEFFREY S. RANSBOTTOM
STANLEY E. REEDY
JAMES O. ROBINSON, JR.
JOHN M. RODDY
JAMES K. ROSE
DIANE M. RYAN
THOMAS A. SALO
JOSEPH W. SECINO
JAMES C. SHARKEY
DAVID A. SHUGART
IRVING SMITH III
RANDY J. SMITH
BRIAN S. SNEDDON
WILLIAM T. SORRELLS
BRIAN K. SPERLING
BRUCE A. STEPHENS
STEVEN A. STODDARD
WILLIAM R. STOWMAN
WALTER S. SWEETSER
LEMUEL A. THOMAS, JR.
DAVID M. TOCZEK
MICHAEL J. VASSALOTTI
DESMOND D. WALTON
ROBERT E. WARING
JOHN W. WASHBURN
KIRBY E. WATSON
BENJAMIN E. WEBB
MAURICE L. WILLIAMS
DARRELL T. WILSON
ISAIAH WILSON III
ALBERT G. ZAKAIB
RICHARD G. ZOLLER
D006317
D002398
D002654
D003658
D002514
X001086
X001320

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

SCOTT C. ARMSTRONG
GLENN C. BACA
BRENT E. BARNES
TIMOTHY R. BAXTER
CHRISTOPHER R. BENOIT
JONATHAN D. BERRY
BRENT T. BOLANDER
KARL D. BOPP
JEFFREY A. BOYER
LIANA L. BRATLAND
ANTHONY T. BROWN
KERK B. BROWN
SHEILA A. BRYANT
JOSEPH E. CALISTO
TERESA L. CAMPBELL
JOSEPH A. CAPOBIANCO
MICHAEL J. CASHNER
DONALD R. CECCONI
JOHN P. CHADBOURNE
JORDAN S. CHROMAN
ANDREW T. CLEMENTS
RUSSELL E. COLE
STEVEN A. COOK
JOHN A. COOPER
LYLE T. CORDER
CHRISTOPHER E. CRATE
PETER D. CREAN
ORLANDO D. CRITZER
CHRISTOPHER D. CROFT
SHARLENE J. DONOVAN
BRADLEY K. DREYER
JEFFREY W. DRUSHAL
MARGARET L. DUNN
WAYNE E. EPPS
ANTHONY O. EVANS
SCOTT D. FABIAN
STEVEN T. FISCHER
JEFFREY FLETCHER
RODNEY D. FOGG
THEODORE J. FOX
LORRI A. GOLYA
JAMES D. GREGORY
ANTHONY E. HAAGER
VICTOR S. HAGAN
JEFFREY E. HAGER
MECHELLE B. HALE
CHARLES R. HAMILTON
FREDRICK J. HANNAH
JOHN P. HANNON
THURINTON W. HARVELL
KRISTI L. HELTON
PAUL M. HILL
RUSSELL A. HOLSCHER
ROBERT C. HORNECK
LYNN S. JACKSON
LEWIS A. JOHNSON, JR.
WINFIELD R. KELLER
KARL M. KRAUS
GARY L. LAASE
DARREL G. LARSON
JOHN S. LASKODI
CHARLES D. LASSITTER
KELLY J. LAWLER
MICHAEL C. LOPEZ
LIONEL W. MAGEE, JR.
CHRISTINE U. MARTINSON
MICHAEL E. MASLEY
GREGORY A. MASON
MICHAEL R. MATTHEWS
ROGER L. MCCREERY
WILLIAM R. MCDONOUGH
NEAL F. MCINTYRE
MARY A. MCPEAK
ROBERT G. MCVAY
DONALD E. MEISLER
MICHAEL C. MILLER
CHRISTOPHER O. MOHAN
LESTER C. MOORE
GERALD M. MUHL, JR.
ROBERT W. MYLES, JR.
MICHAEL N. NAHAS
MICHELLE NASSAR
JOSEPH R. NOVACK, JR.
RONALD E. PACHECO, JR.
PAUL H. PARDEW
ANDREW C. PETERS
TAMMIE J. PETTIT
COLICE D. POWELL
JEFFREY C. POWELL
LEVEN R. PRESSLEYSANDERS
THOMAS G. QUINN, JR.
JAMES J. RAFTERY, JR.
MARSHALL N. RAMSEY
ROBERT A. RASCH, JR.
QUENTON T. RASHID
CLYDE E. RICHARDS, JR.
CHRISTOPHER A. RICHARDSON
DANE D. RIDEOUT
MATTHEW RIORDAN
THOMAS A. RIVARD
THOMAS J. ROGERS
STEVEN L. ROHLENA
JOHN G. ROMERO
CHRISTOPHER J. ROSCOE
MICHEL M. RUSSELL, SR.
JAMES R. RYAN
LEE H. SCHILLER, JR.
MATTHEW C. SCHNAIDT
PATRICIA A. SELLERS
JOHN E. SENA, JR.
JOHN E. SHANKLIN
WILLIAM H. SHEEHY
RONALD J. SHUN
MARK T. SIMERLY
STEPHEN G. SMITH
MICHAEL C. SNYDER
THOMAS E. STACKPOLE
JAMES R. STALEY
JAMES B. STANFORD
ALAN T. STATHAM
EDWARD J. STAWOWCZYK
GARY D. STEPHENS
RANDY G. STEVENS
BRYAN A. STEWART
JOHN A. STYER
JOEL T. SUENKEL
EDWARD J. SWANSON
BRIAN J. TEMPEST
RICHARD A. TEOLIS
DEBORA L. THEALL
STEVEN G. THOMAS
WALTER THOMAS II
JASON H. THORNTON
ERIC D. TILLEY
THOMAS H. TODD III
WILLIAM T. UTROSKA
SANDRA L. VANNOLEJASZ
NORBERT E. VERGEZ
WILLIAM M. VERTREES
JASON R. VICK
JOHN T. VOGEL
JONAS VOGELHUT
MARTIN S. WAGNER
GAIL L. WASHINGTON
ROBERT W. WEAVER
MARK J. WEINERTH
JEFFREY R. WILEY
DAVID A. WILLIAMS
TRACY L. WINBORNE
JAMES O. WINBUSH, JR.
LEAFAINA O. YAHN
ROBERT J. YOST
ERIC F. ZELLARS
D003978
D004309

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MICHAEL W. ANASTASIA
ERIC J. ANGELI
KEVIN V. ARATA
HOWARD E. AREY IV
GREGORY C. BAINE
PRENTISS O. BAKER
STEVEN A. BAKER
ROBERT M. BALCAVAGE, JR.
KEITH A. BARCLAY
DANIEL R. BARNETT
JAMES E. BARREN
JAMES L. BARTON, JR.
DEAN R. BATCHELDER
CHRISTOPHER H. BECKERT
BRIAN D. BENNETT
CARLOS J. BETANCOURT, JR.
BRIAN R. BISACRE
MARK R. BLACKBURN
MICHAEL BLAHOVEC
MURRAY K. BLANDING, SR.
BRYAN H. BLUE
RUSSELL E. BODINE
EDWARD T. BOHNEMANN
JAMES E. BONNER
REGINALD J. BOSTICK
JAMES H. BRADLEY, JR.
SCOTT E. BROWER
JAMES C. BROWN
LESLIE F. BROWN
XAVIER T. BRUNSON
DALE R. BUCKNER
MARK A. BURGE
CHRISTOPHER T. BURGESS
DAVID W. BURWELL
STEVEN G. CADE
DOUGLAS C. CARDINALE
BRIAN M. CAVANAUGH
DAVID W. CHASE
JOHN R. CHAVEZ
KEVIN J. CHRISTENSEN
NICHOLAS P. CHRONIS
CHADWICK W. CLARK
WILLIAM J. CLARK
THOMAS J. CLOSS
ROD A. COFFEY
MATTHEW B. COLEMAN
KEVIN C. COLYER
CHARLES T. CONNETT
TODD Z. CONYERS
MICHAEL E. CORSON
RICHARD D. CREED, JR.
JAMES R. CRIDER
JOEL R. CROSS
TIMOTHY J. DAUGHERTY
DAVID S. DAVIDSON
ROSS E. DAVIDSON
LANCE E. DAVIS
EDWIN J. DEEDRICK, JR.
DOUGLAS J. DELANCEY
DAVID L. DELLINGER
SERGIO M. DICKERSON
WILLIAM C. DICKEY
HEINZ P. DINTER, JR.
MICHAEL O. DONNELLY
FREDERIC A. DRUMMOND, JR.
MICHAEL J. DVORACEK
BRIAN S. EIFLER
JOHN W. EISENHAUER
DAVID J. ELL
SVEN C. ERICHSEN
FREDERICK J. ERST
ALLEN S. ESTES
BRUCE A. ESTOK
JOHN R. EVANS, JR.
ADRIAN R. FARRALL
WILLIAM O. FISHER
DAVID P. FITCHITT
ANTONIO M. FLETCHER
CHRISTOPHER S. FORBES
MICHAEL L. FRANCK
BRENTON K. FRASER
GREGORY D. GADSON
SEAN A. GAINEY
KIMO C. GALLAHUE
MICHAEL A. GETCHELL
DANIEL P. GOLDTHORPE
BRADLEY W. GRAUL
DAVID L. GROSSO
BARRY V. HADLEY
CHRISTOPHER G. HALL
DAVID M. HAMILTON
THOMAS A. HARRAGHY

DARIEN P. HELMLINGER
NEIL S. HERSEY
LONNIE G. HIBBARD
WILLIAM D. HIBNER
DAVID C. HILL
MIGUEL B. HOBBS
JOHN S. HURLEY
JOHN L. HUTTO, JR.
THOMAS H. ISOM
DAVID O. JERNIGAN
JOHNNIE L. JOHNSON
JONATHAN A. JOHNSON
SCOTT C. JOHNSON
ERIC G. KAIL
KENNETH L. KAMPER
MICHAEL C. KASALES
JOHN A. KELLY
SCOTT T. KENDRICK
DAVID R. KENNEDY
KRIS L. KENNER
SCOTT D. KING
ROBERT D. KIRBY
CHARLES H. KLINGE, JR.
EVERETT D. KNAPP, JR.
DAVID M. KRALL
MARK H. LANDES
DANIEL S. LARSEN
MARK A. LEE
ROBERT E. LEE, JR.
GUY A. LEMIRE
LUKE T. LEONARD
REYNOLDS J. LILLIBRIDGE
JOHN J. LINDSAY
ANDREW J. LIPPERT
ADAM A. LOVELESS
ROBERT E. LOWE
BRYAN K. LUKE
JOHN M. LYNCH, JR.
WILLIAM B. MADDOX
JOHN E. MARAIA
STEPHEN J. MARANIAN
PAUL V. MARNON
JOHN J. MARR
DONNA W. MARTIN
MICHELLE L. MARTINHING
ROBERT J. MCALEER
DENNIS J. MCCORMACK
DARRYL D. MCDOWELL
WILLIAM D. MCGARRITY
JOSEPH P. MCGEE
RANDALL A. MCINTIRE
MATTHEW F. MCKENNA
TAMMY S. MCKENNA
STUART J. MCRAE
STEPHEN L. MICHAEL
CHRISTOPHER C. MILLER
JOHN M. MORGAN
MARK A. MOSER
JAMES H. MULLEN
WADE L. MURDOCK
ALFREDO NAJERA
DONALD R. NITTI
CARTER A. OATES
PAUL A. OTT
MICHAEL F. PAPPAL
ALLAN M. PEPIN
CARLOS PEREZ, JR.
TROY D. PERRY
PAUL R. PFAHLER
RAMONA D. PLEMMONS
LEO G. PULLAR
JAMES H. RAYMER
BRIAN J. REED
SHAWN E. REED
MYRON J. REINEKE
MARLIN L. REMIGIO
TIMOTHY W. RENSHAW
MICHAEL W. RICHARDSON
WILLIAM L. RICHARDSON
PAUL J. ROBERTS
ANDREW M. ROHLING
RICHARD D. ROOT
LEO J. RUTH II
NESTOR A. SADLER
CHARLES P. SAMARIS
ERIC L. SANCHEZ
STEVEN R. SCHWAIGER
ARTICE SCOTT
ROY C. SEVALIA
MICHAEL J. SHINNERS
ERNESTO L. SIRVAS
JAMES A. SKELTON
TIMOTHY P. SMALL
NICHOLAS R. SNELSON
JAYSON M. SPADE
BRYAN N. SPARLING
ELMER SPEIGHTS, JR.
RANDI J. STEFFY
MARK L. STOCK
DENNIS S. SULLIVAN
BRADLY S. TAYLOR
GERARD P. TERTYCHNY
BOBBY R. THOMAS, JR.
MORRIS A. TURNER
BRET A. VANCAMP
CHRISTOPHER S. VANEK
KEVIN VEREEN
JOHN L. WARD
TARN D. WARREN
CLIFFORD E. WHEELER, JR.
DANIEL W. WHITNEY
MONTY L. WILLOUGHBY
ERIC L. WITHERSPOON
JONATHAN B. WITHINGTON
CHRISTOPHER F. WOLFE
DAVID J. WOODS
RONALD E. ZIMMERMAN, JR.
D003700
D001868
D003756

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

MATTHEW P. LUFF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

EVERETT F. MAGANN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

WILLIAM V. DOLAN

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

BRIAN D. BARTH
KEVIN A. BEATLEY
CHADRICK J. BEIDALAH
JAYSON L. BEIER
CHRISTOPHER BERNOTAVICIUS
PHILLIP E. BOICE
SCOTT A. BRANON
ADAM J. BROCK
DARRELL W. BROWN II
ANDREW M. CENISOREZ
GREGORY R. CHAPMAN
DOUGLAS E. COLE
JEFFREY B. CORNES
PATRICK S. DENNIS
PATRICK R. ELIASON
MICHAEL K. FONTAINE
TYLER W. FORREST
MARK E. GILLASPIE
CHRISTOPHER J. GOODSON
BENJAMIN P. GRANT
SEAN P. GRAY
WARREN A. HAKES
JOHN M. HALTTUNEN
CAMERON J. HAVLIK
JAMES M. HENRY
MATTHEW G. HORTON
MICHAEL B. JENSEN
JEREMY M. JOHNSTON
ERIC M. LAETTNER
ROBERT D. LANE
CHARLES C. LITTON
ALEXANDER S. MAMIKONIAN
KEISHA N. MARABLE
ANGEL C. MARTINEZ
CARLOS F. MARTINEZ
ADAM R. MCLEOD
BRIAN D. MERRIMAN
LAWRENCE A. MOCNIK
MATTHEW L. MUEHLBAUER
KURT MUHLER
WILLIAM E. PALSROK II
DAVID L. REYES
JAMES A. RIEHL
SEAN A. STEIN
MICHAEL A. STOKER
HOWARD D. WATT
RUSTY J. WILLIAMSON
STACY M. WUTHIER

DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination pursuant to an order of 01/07/2009 and the nomination was placed on the Executive Calendar:

PAUL K. MARTIN, OF MARYLAND, TO BE INSPECTOR GENERAL, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

EXTENSIONS OF REMARKS

EARMARK DECLARATION

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. HARPER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 2996

Project Name: Mississippi State Natural Resources Economic Enterprises Program

Project Amount: $350,000

Agency: Fish and Wildlife Service

Account: Research Management

Recipient and Address: Mississippi State University, P.O. Box 9800, Mississippi State, MS 39762

Description of Request: The integrated extension–research program promotes a sustainable/profitable conservation ethic among landowners, managers, and communities that includes recreational enterprises with fish, wildlife, and forest/agricultural land. It is imperative that we (1) have a long–term interdisciplinary research program, (2) monitor economic impact to rural communities, (3) develop educational curricula and training materials, and (4) demonstrate successful integrated wildlife–forest–agricultural business strategies to promote rural development and family farm incomes.

RECOGNIZING THE PASSING OF W.A. JAKE JERNIGAN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Mr. W.A. ''Jake'' Jernigan, a Northwest Florida leader who passed away on October 9, 2009. Jake Jernigan spent his life serving our community and our country, and I am proud to honor his lifetime of dedication and service.

Born on October 20, 1919 in Baker, Florida, Jake Jernigan was the second child of Walter and Addie Cobb Jernigan. He lived on the Cobb family farm until moving to Crestview, Florida to attend grade school. In 1937, Jake enrolled at the University of Florida. However, the call of duty interrupted his education, and Jake joined the United States Army to serve during World War II. After his distinguished military service, he returned to the University of Florida where he met the future Senator George Smathers, working as a volunteer on Smathers' student body president campaign.

After graduating in 1942 with a degree in education, Jake returned to Crestview and taught for a short time at Laurel Hill before founding the Jernigan Insurance Agency and the Jernigan Construction Company. In 1950, he married Claire Covell of DeFuniak Springs, Florida. Jake developed the first affordable housing subdivision in Crestview in 1954 and he also founded the First National Bank of Crestview in 1956, where he served as its first chairman for ten years.

Jake also continued his life of public service as a member of the Crestview City Council and as a founder of the Okaloosa County Island Authority. In 1950 and again in 1960, he served as his old friend George Smathers' Northwest Florida Senate campaign chairman. Later in 1960, he served as John F. Kennedy's Northwest Florida campaign chairman.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize the life of Jake Jernigan. He will always be remembered by all of us in Northwest Florida as a true community leader. My wife Vicki and I offer our continued prayers for his children, Jill, Jan, Jack, Jenny, Tracey, and George, grandchildren, great-grandchildren, and entire extended family as we remember and honor the life of Jake Jernigan.

CONGRESSMAN BROWN THANKS MEMBERS OF THE CHARLESTON TEA PARTY AND ALL RESIDENTS OF SOUTH CAROLINA'S FIRST DISTRICT WHO PARTICIPATED IN THE HEALTH CARE ''HOUSE CALL'' ON WASHINGTON

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. BROWN of South Carolina. Madam Speaker, I rise today to personally thank members of the Charleston Tea Party and all residents of South Carolina's first district who took time out of their busy schedules and made the long bus trip to Washington to participate in the Health Care ''House Call'' on Washington on Thursday, November 5, 2009.

I was proud to stand with my constituents on the steps of the Capitol as we voiced our opposition towards the Democrats' health care bill. I greatly appreciate the time and effort of my constituents who are dedicated to the future of health care in South Carolina and I am proud to say I voted no on H.R. 3962.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. KURT SCHRADER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Mr. SCHRADER. Mr. Speaker, I am proud to have cast an historic vote to overhaul America's failing health care system today. Controlling escalating health care costs is essential to getting our nation's fiscal picture under control. For the first time in our country's history it has brought consumers, businesses and providers to the table in a united effort to control costs, make health care affordable and improve our health outcomes. I have always said that if you like your current health care you need to be in favor of reform because you will not be able to afford that same level of care if the status quo persists.

H.R. 3962 prohibits exclusions based on preexisting conditions. It forbids the cancellation of your health care because you have suffered an illness or injury. It makes sure that everyone shares appropriately in the benefits and costs of affordable health care reform. Americans will no longer be one illness or job loss away from bankruptcy. It guarantees basic benefits for all Americans and allows competition across state lines to reduce costs.

H.R. 3962 makes major reforms in our health care delivery system that we have not had the political courage to do for years. Major improvements in Medicare and Medicaid save over $400 billion while still expanding services to our seniors. I am pleased the House bill contains a section on Comparative Effectiveness Research (CER). However, I believe the CER provisions contained within the bill could use significant improvement to ensure the research that is conducted is protected from undue political influence from the government. Earlier this year I introduced H.R. 2502, the Comparative Effectiveness Research Act of 2009. My bill reinforces a core principal of health care that patients and doctors should be making medical decisions. It would establish an independent institute charged with coordinating and guiding comparative effectiveness research programs. By streamlining access to the latest medical research, doctors can make sound decisions that will improve the health of their patients and ultimately lower costs by reducing the number of redundant and ineffective treatments. This is the approach that has guided CER efforts in the Senate and it is my intention to work closely with the House leadership and the conference committee to ensure any final compromise establishes a public-private institute outside of government to guide the research and ensure it will be independent, credible, and protected from political influence.

It begins to emphasize, and pay for early, intervention and prevention to keep people healthy and reduce costs. H.R. 3962 puts $34 billion is put into wellness and prevention programs and developing the primary care network needed to provide timely service to all Americans. Rural America also gets particular attention in the bill with loan forgiveness and incentive programs.

America's senior citizens do particularly well under this legislation. In addition to modernizing and reducing costs, Medicare improvements allow seniors to keep more assets and still access subsidies. The new bill fixes the donut hole sooner and allows more drug price-

negotiation to ensure seniors are getting the best prices for their medication. In a separate bill Congress fixes doctor reimbursement so that a 21 percent rate reduction is avoided and doctors become more willing to take senior Medicare patients again.

Private employer-based health insurance would still constitute 60 percent of the way Americans get their health care. This bill provides a public option with negotiated rates and without tax-payer subsidies that will drive down costs without creating an uneven playing-field with private insurance companies.

H.R. 3962 does better by small businesses too. Small businesses with payrolls below $500,000 are excluded from having to provide health care or pay penalties. The old bill set that limit at $250,000. And only individuals earning over $500,000 and families over $1 million would be subject to the surcharge for incomes over those amounts.

Oregon does particularly well in the new bill. Not only are many of our pioneering health care delivery systems included in the bill with grants for expanding, but two studies create a Congress proof opportunity for the restructuring of Medicare reimbursement that will reward high-quality low-cost states like Oregon.

Perhaps most significantly H.R. 3962 substantially reduces the cost of the initial reform bill. Almost $200 billion is trimmed from the costs, with more to come in negotiations with the Senate and President Obama. According to CBO, the bill reduces the deficit both in the short- and long-term. According to leading economists, the bill lowers premiums going forward compared to current law for all income groups, even those without subsidies.

I believe we can do better! I have personal commitments from the President that more cost containment is necessary and will occur as we work with the Senate. The Senate subsidies are much more sustainable over the long-term and strike a better balance between making health care affordable and curbing the overutilization through meaningful cost sharing.

I am excited about reforming our health care system to deliver better health outcomes and more affordable costs for families, businesses and our Nation.

ANGELA D'AURIO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud Angela D'Aurio for her outstanding service to our community.

Angela D'Aurio has served Jefferson County for many years as a politically active citizen. She has managed several local campaigns, and is active in many civic organizations. Angela D'Aurio is also a supporter of the area Kiwanis Denver West Soccer Club.

The dedication demonstrated by Angela D'Aurio directly benefits her community, and is exemplary of her high personal and professional standards. She serves as a leader who inspires those around her to continually strive for a safer environment for America's children through her work protecting children from internet predators.

I extend my deepest congratulations once again to Angela D'Aurio for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN HONOR OF VFW POST 3020

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. ADLER of New Jersey. Madam Speaker, it is with great pride that I stand before you today, asking you and my fellow Members of Congress to honor the Veterans of Foreign Wars Post No. 3020. For 75 years they have stood firmly to their commitment to our Nation.

One of the ways we honor our country is to make service a tradition. In south Jersey, this effort has gained substantial support from the VFW, a visible, active, and honorable organization. I often cite the way in which our veterans find ways to continue to serve as a strength to our community. Veterans in south Jersey have been a constant reminder of the pride we take in public service throughout the past 75 years.

VFW Post 3020 has always been supportive of service men and women at any time of need. The members of VFW Post 3020 all served this country once. Now they are serving their country again. And I for one would like to thank them for all they have done, and will continue to do.

Madam Speaker, please join me in wishing the best for the long future ahead for this great organization. Thank you to all of the veterans of VFW Post 3020, and thanks to all of the members of our community who support the VFW in their mission. God bless you all, and God bless America.

HONORING LARRY SHEHADEY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. RADANOVICH. Madam Speaker, I am joined today with Congressmen JIM COSTA and DEVIN NUNES to honor the life of Larry Shehadey for his dedication to his family, business and community. Mr. Shehadey passed away on Saturday, October 10, 2009 at the age of one hundred and two. The life of Mr. Shehadey will be honored on Thursday, October 15, 2009 in Fresno, California.

Larry Shehadey was born on July 2, 1907 to Lebanese immigrants Salem and Sadie. He was raised in the foothills of Northern California. He never missed a day of school, although he did walk or ride his horse five miles one-way to get to school. His family moved to San Francisco, where he graduated from Polytechnic High and excelled in athletics. Upon graduating from high school, he became a salesman in San Francisco and married Elayne.

In 1951, Mr. Shehadey bought a controlling interest in Producer's Dairy and moved his family to Fresno, California. When he became involved with Producer's, the company was one of over seventy dairies in the Fresno area; however, through creative marketing Producer's became the top dairy in just three years. He was innovative and always looking for a better way to do things. He developed his own vertical integration system to make production more efficient. He also started his own herd and added acreage to grow alfalfa to feed his herd. His two sons, John and Richard, became part of the family business.

Growing up during the depression, his goal was always to provide well for his family and to leave a legacy for them. He was also very involved in our community. Mr. Shehadey was generous in giving and donated to Fresno hospitals, Fresno City College and possibly his largest contribution was to California State University, Fresno. He donated to CSU Fresno through his support of the Craig School of Business, the Jordan College of Agricultural Science and Technology and the athletics department. He was honored by CSU Fresno when they named a clock tower after him.

After sixty-three years of marriage, Mrs. Shehadey passed away. Mr. Shehadey is survived by his two sons, John and his wife Mary, and Richard and his wife Sue; eight grandchildren, eighteen great grandchildren and two nephews.

Madam Speaker, we rise today to posthumously honor Larry Shehadey. I invite my colleagues to join me in honoring his life and wishing the best for his family.

HONORING BRENDA D. WILLIAMS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. QUIGLEY. Madam Speaker, I rise to honor Brenda D. Williams for her many years of service and dedication to the U.S. Postal Service. On October 31, 2009, after 36 years, Brenda retired from her position as Customer Relations/Congressional Liaison for the Chicago District.

Ms. Williams began her career working in the old Chicago Main Post Office Building as a Tour 1 Scheme Qualified/Distribution Clerk. Her hard work and dedication earned her a position in the Regional Office and secretary to the Manager.

After five short years, Ms. Williams was transferred to the Computer Forwarding Site to help train all new clerks. Due to her experience and knowledge of the postal system, Brenda soon became a valuable asset to all CFS Managers. Her institutional knowledge helped ease the transitions of six managers, ensuring that operations never missed a beat.

In 1995, Brenda moved to the Consumer Affairs Department, where she stayed until 2001, when she was transferred to the Congressional Office.

Brenda always went above and beyond to provide assistance to those who were unable to access alternate means of assistance, both in the public sector and as a congressional liaison. She calmly dealt with many difficult circumstances.

Ms. Williams has helped the Postal System in other ways, as well. She has served on numerous committees, including: Multicultural Day, Federal Employee of the Year, Postmaster Installations, Stamp Unveilings, Congressional Briefings, Santa Letters and Employee Recognition Day. In all areas, Brenda's expertise proved invaluable.

Madam Speaker, I join with all of my colleagues in congratulating Brenda D. Williams on her retirement and wish her continued happiness in the future.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed recorded votes on the House floor on Monday, November 2, 2009 and Tuesday, November 3, 2009.

Had I been present on Monday, November 2, 2009, I would have voted ''aye'' on rollcall vote No. 832 (on motion to suspend the rules and agree to H.R. 1168), ''aye'' on rollcall vote No. 833 (on motion to suspend the rules and agree to H. Res. 291), ''aye'' on rollcall vote No. 834 (on motion to suspend the rules and agree to S. 509).

Had I been present on Tuesday, November 3, 2009, I would have voted ''aye'' on rollcall vote No. 835 (on motion to suspend the rules and agree to HR. 3949), ''aye'' on rollcall vote No. 836 (on motion to suspend the rules and agree to H. Res. 398), ''aye'' on rollcall vote No. 837 (on motion to suspend the rules and agree to H Res. 866), ''aye'' on rollcall vote No. 838 (on motion to suspend the rules and agree to H. Res. 867), ''aye'' on rollcall vote No. 839 (on motion to suspend the rules and agree to H.R. 3157), ''aye'' on rollcall vote No. 840 (on motion to suspend the rules and agree to H. Res. 736).

ANN EVANS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud Ann Evans for her outstanding service to our community.

Ann Evans exhibits a rare combination of drive, leadership, compassion and generosity. She is a nursing professional with extensive experience in both classroom and hospital settings and is committed to ensuring safe, high quality delivery of care in our community. Ann Evans has worked hard to improve patient care at Lutheran by incorporating a cultural belief model as a foundation for improving patient satisfaction. She has been recognized professionally for her efforts by the American Heart Association and is a fellow of both the American Heart Association and the American Academy of Nursing.

In her dedication to furthering women's issues, Ann introduced a program called Inspire to Jefferson County which focuses on non-traditional approaches which encourage women to practice self care and preventative care. She also introduced the Daisy award, a monthly patient-nominated award for exceptional nurses, and provided the lead gift to the Friends of Nursing Fund dedicated to the advancement of nursing excellence in the community.

In addition to her work in healthcare, Ann Evans serves as Board secretary/treasurer of The Cloud Foundation, a group which focuses on the preservation of wild horses on public lands. She served on the Jefferson County Symphony Board of Directors, has been appointed to the Colorado Center for Nursing Excellence and the Daisy Foundation's Board of Directors, and has served on the Board and as President of the American Association of Critical Care Nurses.

I extend my deepest congratulations once again to Ann Evans for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

RECOGNIZING THE PICKERING TREATY IN CANANDAIGUA, NY

HON. ERIC J.J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. MASSA. Madam Speaker, I rise today to recognize the anniversary of the longest standing unbroken treaty between the United States government and a sovereign Native People. This Wednesday, the 11th of November, will mark the two hundred and fifteenth anniversary of the signing of the Pickering Treaty in Canandaigua, New York, the treaty which established peace between the people of the Iroquois Confederacy and the United States of America.

Timothy Pickering, representing President George Washington on that historic day in Canandaigua, along with the leaders of the Iroquois Nation, signed the treaty which established peace and friendship on the western frontier of New York while securing lands in New York State for the Iroquois Confederacy. The treaty was signed into law by President Washington in January of 1795, following its ratification by the United States Senate in Philadelphia.

As a veteran, I note the appropriateness of this anniversary falling on Veterans Day. It is significant that Native Americans join the U.S. Armed Forces at a higher per capita rate than members of any other group in our country and have established a record of bravery under fire that stands as a monument to courage and national service. The service of our veterans, regardless of race or ethnicity, all sacrifice for what this treaty has stood for over two hundred years: Peace between peoples, cooperation between neighbors, and friendship among nations.

I stand today to remind this storied chamber that while the bonds of friendship that embody this treaty have been strained, they have never broken. It is an imperative that we, as Americans, keep and celebrate the promises that we make to other nations and that we always recognize the importance of our word. No other treaty signifies this sacred obligation more than the Treaty of Canandaigua.

RECOGNIZING THE HARLEM COUNCIL OF ELDERS, INC., SALUTE TO EGYPTOLOGIST DR. YOSEF A.A. BEN-JOCHANNAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. RANGEL. Madam Speaker, I rise with great pride to join New York Democratic County Leader Keith L.T. Wright and the Harlem Council of Elders to pay tribute to Egyptologist and Pan-Africanist, Dr. Yosef A.A. Ben-Jochannan (Dr. Ben), Harlem's internationally renowned historian and educator of the African Diaspora.

In 1918, Dr. Yosef A.A. Ben-Jochannan, affectionately known as Dr. Ben was born in Gondar, Ethiopia to Krstan ben Jochannan, a lawyer and diplomat, and Tulia Matta, a native of Puerto Rico, who was a homemaker and midwife. Dr. Ben's parents were both of the Jewish faith. His father was a member of the ''Falasha,'' or Beta Israel, and his mother was a descendent of Spanish Sephardic Jews. Krstan ben and Tulia met in Madrid, Spain, where she was attending college and he was working as a diplomatic attaché. Soon after their marriage, they traveled from Spain to Ethiopia where their son, Yosef, was born.

In Ethiopia, he spent the first five years of his life, later on moving to the Americas. He said in later interviews that, in the 1920s, the Ethiopian government sent his father to Brazil to help develop its coffee trade. They lived for about a year in Rio de Janeiro before a 1928 coup in Ethiopia saw the overthrow of Empress Zauditu and the consolidation of power under Emperor Haile Selassie. After the change in political leadership, the family decided not to return to Ethiopia but instead settled permanently in Puerto Rico. Yosef was raised primarily in the town of Fajardo, located on the eastern side of Puerto Rico, and the nearby islands of St. Croix and St. Thomas, where his mother had relatives. He was thus fluent in Spanish and English from an early age.

Dr. Ben attended the University of Puerto Rico at Rio Piedras, where he first studied law, but later switched to civil engineering. He graduated with a Bachelor of Science degree in 1939. In his senior year of college Dr. Ben wrote and self-published a booklet titled Nosotros los Hebreos Negros (We the Black Hebrews) about his experience growing up black and Jewish on a predominately Catholic island where at the time people of African ancestry were commonly viewed as inferior. Dr. Ben's father was fluent in several languages and often spoke with his son about the significance of Ethiopia's ancient past. However, at school and in the community, he frequently heard the view that Africa was a backward and wretched continent. In response to this, his father sent him to visit his grandparents in Ethiopia, where he stayed for several months. To get there, Dr. Ben traveled by ship to Egypt, then took a train through that country to Ethiopia, and thus began his lifelong fascination with Africa's 4,000-mile-long Nile Valley.

Upon his return to Puerto Rico, he worked briefly as a lawyer and in 1941 moved to New York City with his maternal uncle, Casper Holstein, a self-made millionaire and philanthropist who had become rich from the Harlem

"numbers racket." Holstein was one of the largest contributors to Marcus Garvey's Universal Negro Improvement Association, and was also politically active in his native Virgin Islands. Dr. Ben gained a unique insight into the rich cultural milieu of black New York, including its lively street life, informal "numbers" lotteries, street-corner preachers, and politics. At the time, Harlem was the epicenter of African American activism in support of Ethiopia, which had been invaded and occupied by Italy under Benito Mussolini during World War II. Although the occupation ended the year he arrived in New York, Dr. Ben joined the Ethiopian World Federation and African Nationals in America.

Ben Jochannan initially found work as a draftsman, but he was drawn to the study of Africa and its ancient history. He began to speak on Harlem street corners, mostly about African history, taking part in a tradition of public speechmaking that was one of the neighborhood's unique attributes, joining such noteworthy contemporaries as Arthur Reid, Carlos Cooks, and Wentworth Matthew. He then came to know several members of the Harlem History Club's leading intellectuals and historians such as John Henrik Clarke, J. A. Rogers, John G. Jackson, and Richard B. Moore. During the late 1940s, Dr. Ben met and befriended a young man known as "Detroit Red," who used to hustle on the corner below his Harlem office. Their friendship deepened after "Detroit Red" joined the Nation of Islam in prison, returning to Harlem as Malcolm X. They remained close up until Malcolm's assassination in 1965.

Through this early period of his life in the United States, Dr. Ben maintained the Jewish faith of his upbringing, attending Harlem's Commandment Keeper's Ethiopian Hebrew Congregation led by Rabbi Wentworth A. Matthew and other synagogues. In New York, he continued to struggle as he had in Puerto Rico, with the prevailing societal presumption that tended to question his identity as an African Jew; while at the same time, his study of ancient Egyptian history and spiritual practices was having an ever increasing impact on his thinking. He later wrote in several of his books, his differences with other Jews and his intense identification with the African American struggle eventually caused his complete break with Western man's Talmudic Judaism.

In the 1950s, Dr. Ben worked as a researcher for UNESCO and with the Zanzibar mission to the United Nations until that country merged with Tanganyika to become Tanzania in 1961. He later began teaching as an adjunct professor in New York, mostly as a lecturer on African history at such schools as Marymount College at Tarrytown and at Columbia Teacher's College. In 1957, Dr. Ben led a group of nine African American educators to Egypt to show evidence of his contention that sites such as Abu Simbel, the temple of Isis at Philae Island, and the royal tombs of the Valley of the Kings were the remains of ancient black civilizations. He began a series of these trips over the years, and by his estimation led several thousand African Americans to Egypt, Sudan, and Ethiopia over the next four decades. The trips not only facilitated his own study and writing, but they came to be a major part of his legacy as a teacher and contributor. In 1960, Dr. Ben self-published his first work produced in the United States, entitled, "Black Man of the Nile," which he sold for $5 a copy at Lewis Michaux's National Memorial African Bookstore on Lenox Avenue. In 1961, he married Gertrude England, of St. Croix. The couple would go on to have nine daughters and three sons. They also adopted six other children. Throughout his career as a writer and teacher, Dr. Ben remained a fixture of the Harlem community where he raised his family.

When Harlem was engulfed by several days of social unrest during the summer of 1964, after the police slaying of a local teenager, Dr. Ben was one of several Harlem activists who met with New York Mayor Robert Wagner and, later, John Lindsay to address systemic problems facing the black community in New York.

As a historian and anthropologist, Dr. Ben would return to the Nile Valley more than fifty times and self-publish forty-two books on African pre-history; the civilizations of Egypt, Sudan, and Ethiopia; and on religion. His work argued that the creators of ancient Egyptian civilization (the builders of the pyramids, the Sphinx, and cities and lodges) were Black Africans who first migrated north from the Central Rift Valley of present-day Tanzania and Uganda. He claimed that mainstream publishers refused to publish his work, saying that there was not sufficient public interest in them and that the publishers had no way to fact-check his claims. His books were known for their tendentious tone and crude presentation that included newspaper clippings, hand-drawn maps, and an informal, idiosyncratic writing style. However, these shortcomings did not reflect a disregard for academic standards such as citation, footnotes, and bibliography, which he supplied extensively. Dr. Ben chose to write in a manner that could be readily absorbed by both lay readers and researchers with little more than a middle-school education. He also steadfastly criticized the overall presentation of African history in American universities and museums. In the late 1960s, Dr. Ben worked briefly as a writer for a New York publishing company, W. H. Sadlier, where he wrote textbooks on African history such as Southern Lands.

In 1973, he served as an adjunct professor of History and Egyptology at Cornell University's Africana Research Center, where his longtime friend and colleague John Henrik Clarke was teaching. Dr. Ben taught there for fifteen years, a period during which he also served as a visiting lecturer at the Faculty of Languages at Al Azhar University in Cairo, Egypt. In 1979, he traveled to the South Pacific where he lectured in Papua New Guinea about the native population's origins on the African continent. In 1984, he became one of six founding members of the Association for the Study of Classical African Civilization (ASCAC), an organization of black scholars focusing on the ancient African world. The other founders were John Henrik Clarke, Asa G. Hilliard III, Jacob H. Carruthers, Leonard Jeffries, and Maulana Karenga.

Dr. Ben was a popular and sought-after lecturer on college campuses nationally and internationally, celebrated for his direct, polemical style and wit. In 1993, Mary Lefkowitz, a Wellesley classics professor, mentioned him prominently in a Wall Street Journal editorial that fueled an acerbic national debate about "Afrocentrism" in academia. Dr. Ben, a lifelong bibliophile had amassed a personal library of over 15,000 books chronicling African and African American history. Outside of academia, Dr. Ben's reputation remains high particularly among many African American laypeople. Today, he can be frequently spotted around Harlem where residents greet him warmly as Dr. Ben!

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Ms. ESHOO. Mr. Speaker, I come to the floor today to cast one of the most important votes of my congressional career—a vote in support of H.R. 3962, the Affordable Health Care for America Act.

We are on the threshold of history that has been a half-century in the making.

The promise of America as a land of equality and opportunity that embraces and cares for all of its citizens is but an empty promise without the guarantee of healthcare and the freedom from financial devastation resulting from illness.

For so many of us, this long battle has had a singular, courageous champion who has fought like a lion for the sick, the elderly, the left behind and the left out. Our great achievement today will also be our greatest memorial to our friend, mentor and inspiration, Senator Edward Kennedy.

Like Senator Kennedy, many of us wondered—as the decades marched by—whether our efforts for comprehensive healthcare reform would ever be successful.

His unwavering commitment to decent healthcare for all Americans has paved the way for the bill before us today. It is on the shoulders of this giant that we stand and I pledge my vote as a tribute to the late Senator.

At the heart of this legislation is one simple, indisputable idea: Everyone deserves health insurance they can afford.

Our system is broken. In a nation where health is a daily value and where health care is the finest in the world, I hear daily from constituents who cannot afford to take care of themselves or their families, who are driven out of the system by skyrocketing premiums, who live under the threat of a shuttered business or a bankrupted household, or who simply have to roll the dice and hope they will get better—or not too much worse.

Perhaps most tragically, our current system turns its back on those most in need—those with a pre-existing condition. Health insurance is meaningless if it's only available to the healthy.

H.R. 3926 will cover 96 percent of all Americans.

It prohibits discrimination based on pre-existing conditions.

It eliminates lifetime caps—immediately.

It includes a non-profit public insurance option designed to increase competition and lower prices.

It provides affordability credits to lower-income Americans to help them pay for coverage.

It modernizes and strengthens Medicare, ensuring the program's continued solvency and eliminating the prescription "donut-hole."

And, very importantly, it is budget neutral.

When I return to my constituents in California, I'll be proud to tell them that with this bill: Employer-based health coverage will improve for 461,000 men, women and children who live in my District; 84,000 households in my District will receive affordability credits to help them pay for coverage they otherwise couldn't afford; 9,500 of the seniors in my District will no longer fall victim to the prescription drug ''donut-hole''; 17,100 small businesses in my District will be able to obtain affordable healthcare coverage; and that 15,400 small businesses will qualify for tax credits that will help reduce their health insurance costs.

I'm also proud that I joined with Senator Kennedy to author H.R. 3962, to create an FDA pathway for the approval of biosimilar drugs.

Biotechnology is a complex and emerging field that can harness the power to cure cancer, AIDS, and diabetes, and prevent the onset of deadly and debilitating diseases such as Alzheimer's, heart disease, Parkinson's, multiple sclerosis and arthritis.

My amendment will save the government $6 billion over the next ten years while continuing to foster innovation and new advancements.

After President Obama signs this bill, millions of Americans who today have no health insurance will have it. Patients who are now denied coverage because of a pre-existing condition will no longer be shut out of the system. Millions more seniors will be able to afford their medications, and the average American family will pay less for their health coverage.

Most importantly, we will be keeping our promise to the American people that they will have affordable health insurance which they cannot lose or have taken away from them if they become ill.

I look forward to passing this landmark piece of legislation and seeing it signed into law by the President.

ADELE O'TOOLE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Adele O'Toole for her outstanding service to our community.

Adele O'Toole has lived in Jefferson County Colorado for 20 years, and during that time has been very active in PTA, co-founded a local book club, served as a Cub Scout den mother, Girl Scout leader, and a frequent volunteer at her children's school events. She sponsored a team for the Relay for Life event in Wheat Ridge, and frequently participates in Race for the Cure.

The dedication demonstrated by Adele O'Toole directly benefits her community. Not only does she run a multimillion dollar business, O'Tooles Garden Centers but finds time to serve her community. In her service to the area homeless Adele O'Toole frequently organized Thanksgiving and Easter Basket drives for the homeless and regularly prepares meals for families who stay at the JeffCo Action Center's shelter.

I extend my deepest congratulations once again to Adele O'Toole for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING JUNIOR LEAGUE OF FRESNO

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate the Junior League of Fresno upon 50 years of community service to Fresno County. The Junior League of Fresno will celebrate their 50th anniversary on Saturday, October 10, 2009, in Fresno, California.

In 1948, the Service League of Fresno was established and in 1959 it was accepted into the Association of Junior Leagues International, Incorporated, and became the Junior League of Fresno. The organization was created as a way for women to promote volunteerism, develop the potential of women and to improve the community through the effective action and leadership of trained volunteers.

Each year the Junior League of Fresno with hundreds of active and sustaining members, contributes over 20,000 hours of volunteer service toward community efforts. Over the years the league has successfully met the needs of many in the community. The league members research, develop, manage and support projects with community partners in the Fresno region where current needs are unmet and existing resources are minimal. Trained volunteers are matched with specific community needs, which has led to successful partnerships with many organizations such as Break the Barriers, Children's Hospital Central California, the Discovery Center, Firefighters Creating Memories, Fresno Art Museum, Marjoree Mason Center, and the Sanctuary Youth Center.

By educating, training and creating a hands-on experience for the volunteers, the Junior League of Fresno has contributed over 1 million hours of service in the community and has raised over $3 million for community projects for children, health care issues, social services, education, women's issues, and cultural arts.

Madam Speaker, I rise today to congratulate the Junior League of Fresno for 50 years of service to the Fresno community. I encourage my colleagues to join me in wishing the league many years of continued success.

IN RECOGNITION OF GENE SKOROPOWSKI

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Ms. MATSUI. Madam Speaker, I rise today with my esteemed colleagues from California, MIKE THOMPSON, ZOE LOFGREN, PETE STARK, MIKE HONDA, BARBARA LEE, JERRY MCNERNEY and JOHN GARAMENDI as we honor Eugene Skoropowski, who has served the public and private sector of the passenger rail business for more than 40 years. He is retiring this week as the Managing Director of the Capitol Corridor Joint Powers Authority, CCJPA. As his colleagues, friends and family gather together to celebrate the next chapter of his life, we ask all of our colleagues to join us in saluting this outstanding public servant and supporter of passenger rail.

Not long after receiving his degree in architecture, from the Catholic University in Washington, DC, Gene became an active rail advocate in the late 1960s. His passion and desire to improve the passenger rail business has led him to be not only a national leader, but also a forward thinking innovator. Throughout his career he also has been an inspiration to foreign nations looking to enhance passenger rail service.

Before serving as Manager Director of the Capitol Corridor, Gene managed rail projects with Fluor Corporation for ten years in Los Angeles. During his tenure at Fluor, Gene worked closely with both the French National Railways and SYSTRA. He also served with the Philadelphia Regional Transit System and was Chief Railroad Services Officer for Boston's intercity rail system.

When Gene joined Capitol Corridor in 1999, the CCJPA serviced only eight daily trains. In less than a decade the CCJPA service grew to 32 daily trains on weekdays and 22 trains on weekends. As the number of trains grew, so did the ridership and revenue. He has given commuters across Northern California a convenient transportation alternative. Many train stations have benefitted from Gene's assistance. Such projects include the Richmond Intermodal Station, the Berkeley Station Platform Improvements, New Martinez Intermodal Depot and many more. In recent months, he has been intimately involved in the design of a new station in Sacramento.

Gene's efforts to improve the passenger rail business have not gone unnoticed. Since his arrival, Gene's leadership has led the CCJPA to a number of awards. These awards include, but are not limited to: the Regional Award—Project of the year in 2001, presented by Sacramento Area Council of Governments, SACOG, the Graham Clayton, Jr. Award for Distinguished Service to Passenger Transportation, the Partner of the Year, presented by Solano Transportation Authority, STA, and the 2007 President's Service and Safety Award, presented by Amtrak.

Madam Speaker, we are truly honored to pay tribute to our friend and dedicated public servant. We ask all of our colleagues to join with us in wishing Gene, his wife Joann, daughters June, Julie and Jeannette and grandchildren Nicholas and Samantha continued success and happiness in all of their future endeavors.

HONORING EDWARD R. ROYBAL METRO GOLD LINE EASTSIDE EXTENSION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mrs. NAPOLITANO. Madam Speaker, I rise to recognize the opening of the Edward R. Roybal Metro Gold Line Eastside Extension project into my 38th Congressional District.

This project, which has received $490 million in federal funding, will be a vital transportation link for the communities of East Los Angeles and sometime in the future continue through San Gabriel Valley cities. The project has already begun to spur economic development in this historic Mexican-American section of Southern California.

I congratulate my neighboring colleague, Congresswoman LUCILLE ROYBAL-ALLARD for her great work on behalf of this Eastside Extension. She has led the East Los Angeles County delegation in the fight for federal funding for this project over the years. She has continued a tradition of dedicated service to this community begun many years ago by her father, Edward R. Roybal, and we are honoring him here today by naming the Edward R. Roybal Metro Gold Line Eastside Extension in his memory.

This is only the beginning of bringing this important rail extension project to a working class area. Planning and design for phase 2 of this project continues, as it extends the metro line to the cities of Eastern Los Angeles County. Los Angeles Metropolitan Transit Authority and my colleagues must continue to pursue a full funding grant agreement for this project with the Federal Transit Administration in an effort to provide Metro access to the millions of people living in Eastern Los Angeles County. Major cities have great rail transit and the East Los Angeles community should be no exception!

Madam Speaker, my constituency welcomes the metro service finally connecting East Los Angeles to the greater Los Angeles community. This will go a long way to encourage the citizens of East Los Angeles to continue their push for cityhood and will allow the residents of this area to be involved in critical projects, such as the Eastside Extension, that will impact their neighborhood and way of life.

Madam Speaker and colleagues please join me in congratulating the Los Angeles Metropolitan Transit Authority, the Eastern Los Angeles Congressional Delegation, Supervisor Molina, the Review Advisory Committee and the residents of East Los Angeles for their involvement in making this historic moment a reality.

EARMARK DECLARATIONS

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to the House Republican standards on congressionally-directed funding, I am submitting the following information regarding funding included in H.R. 2996, the Department of the Interior, Environment, and Related Agencies Appropriations Act of 2010.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 2996

Account: Department of the Interior—National Forest Service—Land Acquisition

Legal Name of Recipient: Daniel Boone National Forest

Address of Recipient: 1700 Bypass Road, Winchester, KY 40391

Description of Request: Provide directed funding of $900,000 for the Daniel Boone National Forest to acquire additional land from willing sellers in the Red River Gorge area, as well as the Rockcastle River and Horse Lick Creek watersheds. Acquisition of these available tracts of land will minimize fragmentation and help ensure consistent management of the forest. Between 2.5 and 5 million people visit the forest every year.

DR. WANDA BEDINGHAUS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud Dr. Wanda Bedinghaus for her outstanding service to our community.

The dedication demonstrated by Dr. Wanda Bedinghaus directly benefits her community in countless ways. A Jefferson County resident since 1992, Dr. Bedinghaus has made significant efforts to improve the health of individuals in the community. She founded and served as senior minister of Lakewood Unity Church, a center for creative spirituality, as well as Harmonia Center for Healing and co-founded Healing Unleashed.

A pediatrician by training, Dr. Bedinghaus was recently made an assistant professor of pediatrics at the University of Colorado's Health Science Center, Department of Pediatrics. She works steadfastly to transform our current medical system into a true system of prevention and wellness.

Currently, Dr. Bedinghaus is studying clinical nutrition in order to better serve the health needs of Jefferson County residents. In addition, Dr. Bedinghaus is bringing wellness workshops to area businesses, helping improve the health of their employees.

I extend my deepest congratulations once again to Dr. Wanda Bedinghaus for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

RESOLUTION OF THE HAMILTON COUNTY COUNCIL ENCOURAGING THE PRESERVATION OF INDIANA JOBS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. BURTON of Indiana. Madam Speaker, in October the national unemployment rate reached 10.2 percent, the highest level of unemployment our country has seen since April 1983. Clearly, the stimulus package rushed into law earlier this year has failed to create the jobs that President Obama, Vice President BIDEN, and the Democrat Congressional Leadership promised it would. And, I fear that the full extent of the unfulfilled promises of job creation and economic stimulus are just beginning to surface.

Under the circumstances, as policymakers one of the first questions we should ask when evaluating any bill that comes before this House is "Will enacting the policies embodied by this bill potentially jeopardize American jobs?" If the answer is yes, in my opinion, we have a responsibility to the American people to reject that bill. Unfortunately, it appears that my colleagues on the other side of the aisle take a different view. Rather than seeking to preserve and grow private sector jobs they seem determined to kill those jobs in favor of the Federal government assuming control over a larger and larger percentage of our economy.

I would like to briefly discuss one example of the Majority's drive to replace private sector jobs with government jobs that, if enacted into law, will potentially put thousands of Hoosiers out of work. Recently, the House of Representative voted on the "Student Aid and Fiscal Responsibility Act of 2009", H.R. 3221, which sets the stage for the elimination of the Federal Family Education Loan, FFEL, program leaving parents, schools, and students with no choice for obtaining student loans except for the Federal government's Direct Lending Program. Supporters of the proposal contend that consolidating student loans under the Federal umbrella will actually save the Federal government money. They cite as evidence a Congressional Budget Office, CBO, estimate that nationalizing the whole Federal student loan program would save nearly $90 billion in direct spending over ten years. However, what they fail to mention is that the CBO also found that President Obama's plan to reform the Pell Grant program would increase direct spending by $293 billion over that same 10-year period. In other words, any potential savings to the taxpayer, real or not, from federalizing the student loan industry will actually be spent many times over. More importantly, whether the plan to federalize the student loan industry is good fiscal policy or not fails to take into account the real world question of jobs.

Moving to a one hundred percent Direct Lending system would kill jobs in the private student loan industry. Make no mistake about it, it is not a question of if jobs will be lost; it is a question of how many jobs will be lost. The FFEL program supports more than 30,000 private sector jobs nationwide. In Indiana alone about 2,300 jobs are in the FFEL industry, and in Indiana's 5th Congressional District, killing off the FFEL program could result in the loss of more than 1,500 jobs.

As you can imagine, the possibility has many of my constituents worried, and for good reason. In Fishers, Indiana, Sallie Mae—the Nation's largest private student loan lender—operates a Loan Service and Data Center and employs 647 Hamilton County residents. The Hamilton County Council—which represents the people of Fishers—is following this issue closely and has taken note of what the end of the FFEL program could mean for hundreds of its residents. I would like to ask unanimous consent to place into the CONGRESSIONAL RECORD a copy of the Hamilton County Council resolution encouraging the preservation of Indiana jobs, which was passed on November 4.

RESOLUTION NO. 11–04–09–02

Whereas, the Congress of the United States is debating the President's plan to make college more affordable; and,

Whereas, among many issues involved in said debate is the issue of eliminating private student lenders; and,

Whereas, Sallie Mae and its 8,500 employees across the country including 2,300 in Indiana are "at risk" in said debate; and,

Whereas, Sallie Mae employees 647 Hamilton County Residents and,

Whereas, Sallie Mae, its employees and leadership have been significant supporters of the community in many ways; and,

Whereas, the Hamilton County Council on behalf of all residents of Hamilton County is supportive of responsible actions by the Congress which will recognize appropriate cost saving measures while protecting valuable jobs for Hoosier families; and,

Whereas, Sallie Mae and a broad coalition representing various stakeholders in the student loan community have proposed a responsible alternative which should be seriously considered and adopted as the best way of achieving the goals and objectives of both the President and Congress, without sacrificing tens of thousands of jobs across the country and here In Indiana: Now, therefore, be it

Resolved by the Hamilton County Council, meeting in regular session, as follows:

Section 1. That the Congress of the United States is hereby encouraged to adopt a student loan reform proposal that makes college more affordable and achieves significant taxpayer savings while also protecting Hoosier jobs and our families and communities.

Section 2. That a copy of this Resolution be provided to all members of the Indiana Congressional delegation forthwith as an expression of the concern and desires of the entire County of Hamilton, Indiana.

Section 3. This Resolution shall be in full force and effect from and upon its adoption.

All of which is resolved this 4th day of November, 2009.

Hamilton County Council.

I support the FFEL program and believe that H.R. 3221 will lead to its extinction, which is why I voted against the bill. Additionally, on two separate occasions during this Congress I have proposed amendments to help preserve the FFEL program, and the jobs associated with the program. Disappointedly, the Majority has used their control of the House Rules Committee to kill those amendments and prevent the full House of Representatives from debating and voting to protect these jobs.

I have not given up the fight to preserve the FFEL program or the jobs associated with it though. Could improvements be made to the program? Sure, but there is more to lose than gain by eliminating the program in its entirety. Since 1965, the FFEL program has provided access to higher education for tens of millions of Americans, and it has done so with private capital and private labor. I believe we have a responsibility to the American people to preserve the FFEL program and the good-paying jobs associated with the program.

IN HONOR OF WILLIAM R. GIFFORD

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. ADLER of New Jersey. Madam Speaker, I stand today before the House to recognize an important member of New Jersey's 3rd District, Mr. William R. Gifford who is celebrating his 90th birthday on December 20, 2009.

Mr. Gifford is a graduate of the Ohio State University. During World War II, he served with distinction with the rank of captain, as a bombardier in the 15th Army Air Force's 484th Bombardment Group. After the war, Mr. Gifford became employed at Pricewaterhouse in New York City where he was made partner.

Now retired, he enjoys spending time with his sons, William R. Gifford, Jr., Russell M. Gifford and Gregory Gifford and their families.

Madam Speaker, I ask that you please join me in wishing Mr. Gifford a happy 90th birthday.

JO ANN RZEPPA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud Sergeant Jo Ann Rzeppa for her outstanding service to our community.

Sergeant Rzeppa's career in the field of law enforcement began over 30 years ago, in what was then a male-dominated profession. She earned respect among her co-workers while serving as a patrol officer, in under-cover narcotics, and as a detective. She is a symbol of the Arvada Police Department's desire to maintain a strong relationship with area schools by serving as the sergeant in charge of School Resource Officers for Arvada schools.

Sergeant Rzeppa's participation in the after school club ''Police Pals'' allows her to provide an excellent example for young women interested in pursuing careers in law-enforcement.

The dedication demonstrated by Sergeant Jo Ann Rzeppa directly benefits her community, and is exemplary of her high personal and professional standards. Those who know Sergeant Jo Ann Rzeppa personally comment on her passion for living, enthusiasm for her work, and confident, friendly manner.

I extend my deepest congratulations once again to Sergeant Jo Ann Rzeppa for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

EARMARK DECLARATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. WALDEN. Madam Speaker, consistent with the House Republican Leadership's policy on earmarks, to the best of my knowledge the request I have detailed below is (1) not directed to an entity or program that will be named after a sitting Member of Congress; and (2) not intended to be used by an entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the earmark. As required by earmark standards adopted by the House Republican Conference, I submit the following information on a project I requested and was included in the Conference Report for H.R. 2996, the Interior, Environment, and Related Agencies Appropriations Act, 2010.

Account: EPA—STAG Water and Wastewater Infrastructure Project

Project Name: Umatilla County for Milton-Freewater Stormwater System Improvements

Legal Name and Address of Requesting Entity: Umatilla County, 216 SE 4th Street, Pendleton, OR 97801

Project Location: The City of Milton-Freewater, Oregon

Description of Project: The Conference Report for H.R. 2996 appropriates $300,000 for the Milton-Freewater Stormwater System project. According to the requesting entity, this funding will be used by Umatilla County to assist in the development of a stormwater treatment system for the city of Milton-Freewater, Oregon. This is a beneficial use of taxpayer funding because it will enable the community to construct a holding pond to catch silt-laden storm and winter water runoff which currently clogs the drainage system and deposits silt into drinking water wells.

COMMEMORATING THE 50TH ANNIVERSARY OF THE SOCIETY HILL PLAYHOUSE IN PHILADELPHIA, PA

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. ANDREWS. Madam Speaker, I rise today to commemorate the 50th anniversary of the Society Hill Playhouse in Philadelphia. Under the leadership of Deen and Jay Kogan, who founded the theater in 1959, the Society Hill Playhouse has become a home for important works by contemporary American and European playwrights.

The Kogans met while students at Temple University and married soon after graduation. Deen carried a lifelong passion for the theater, and Jay, a former World War II prisoner of war, was soon bitten by the theater bug. After a year working in theaters in Milan and Zurich, the Kogans set out to create their vision of a theater community in Philadelphia.

Over the last 50 years, the Society Hill Playhouse has delighted Philadelphia audiences with productions including Nunsense, Lafferty's Wake, and Menopause: The Musical. In addition to its contributions to the Philadelphia theater community, the Society Hill Playhouse created the Philadelphia Youth Theater, which for 25 years opened its doors to allow Philadelphia youth to have access to the arts and develop their skills.

The Society Hill Playhouse prides itself on its appeal to ''people who don't like theater . . . or who think they don't.'' As Philadelphia's original public theater, the Society Hill Playhouse has made a lasting contribution to the design of new theaters throughout the Delaware Valley. Rarely does a theater extend beyond a location and become an integral member of the arts community, but the Playhouse has done exactly that. The Society Hill Playhouse brought a new generation into the theater, while producing hits and entertaining crowds for 50 years.

Madam Speaker, the Society Hill Playhouse has made immeasurable cultural contributions to the Philadelphia area. I congratulate Deen Kogan and her late husband Jay on accomplishing their vision of a premiere arts institution in Philadelphia, and wish the Society Hill Playhouse many more years of success.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Mr. ISRAEL. Mr. Speaker, I rise in support of the Affordable Health Care for America Act. I join the American Cancer Society, the American Medical Association, the American Nurses Association, Consumers Union, AARP, and many other organizations in the strong belief that this bill will bring financial relief to middle class families and businesses who have faced skyrocketing costs for health care.

In the past months, I have listened carefully to the families and businesses I represent on Long Island. I held many public forums on health care; visited businesses facing double digit premium increases; met with physicians and toured hospitals; invited protesters into my office to hear their concerns; convened a tele-town hall that attracted 5,000 senior citizens; hosted another tele-town hall meeting with nearly 11,000 people; organized a live town hall meeting at Suffolk Community College with 500 people; made hundreds of personal phone calls to constituents; and much more.

People with strong opinions on opposite sides of this issue have insisted that I listen to them, believing that they represent a majority of our community. And at the end of the day, I believe strongly that we can no longer do business as usual. In the past 10 years, Long Islanders have seen their health insurance premiums increase 80 percent. And if we do nothing, the average Long Islanders' health costs will increase $1,800 every year.

Employer-sponsored health insurance premiums have increased 80 percent in 10 years for Long Island businesses. As a result, more companies are forced to cut payroll, trim raises, or increase employee contributions. Some have told me if this continues, they will have to begin considering offering no health insurance.

And almost every week, my office in Hauppauge receives complaints from neighbors who were denied insurance coverage due to preexisting conditions. They complain about ''sticker shock'' when they open their insurance company statement and learn that they'll have to pay for a greater share of services they assumed were covered.

In a region with unacceptably high property taxes and energy costs, we simply cannot afford to allow health care to continue skyrocketing.

The original bill did contain provisions that concerned me. As a result of my town meetings and other visits, I was able to help improve the bill.

For example:

Many Long Islanders complained that the original family income trigger for the surtax that will fund nearly half of this bill was too low. I successfully fought to raise the trigger to $1 million per family. As a result, no Long Island family with earnings less than $1 million will see a surtax to pay for this bill.

I worked to increase the trigger for small business health care from $250,000 to $500,000 in payroll.

Many seniors in Medicare Part D prescription drug plans asked for faster relief from the so called ''donut hole.'' In 2010, they will receive an immediate $500 expanded benefit. That will assist 8,000 seniors in our district alone.

To lower drug costs, I fought to include a provision allowing the Department of Health and Human Services to negotiate volume discounts with big drug companies, just like the VA does.

I sought to increase funding for the Family Caregiver Support program to help Americans who take care of their parents or grandparents.

Some argued that insurance should be sold across State lines. This bill would allow companies to sell plans across State lines where States joined together to form interstate compacts to allow it.

Before accessing the newly created Health Insurance Exchange, one's citizenship and immigration status will be verified by the Department of Homeland Security.

Mr. Speaker, I have heard some insist that this bill represents a government takeover of health care. It is simply not true. All the bill does is give Long Islanders the choice to enter into a competitive Health Insurance Exchange to shop for a health insurance plan—just like every Member of Congress. There, private companies will compete for one's business. Among those private businesses will be a ''public option'' which must be self-sufficient and funded from premiums paid by its enrollees. That option will not need to worry about dividends or profits, CEO salaries or expensive marketing campaigns. It will compete against the private plans: just like public colleges compete against private colleges, just like ExpressMail competes against FedEx, just like Perrier competes against the Suffolk County Water Authority. I haven't heard anyone call the water they drink from their faucets ''socialist water''. And I've not heard any reasonable person call Medicare socialized health care. The reason the public option is so vital is that its lower costs will incentivize insurance companies who have doubled their premiums to be more price sensitive in order to attract customers.

Finally, Mr. Speaker, a special word for those who have demanded that I ''listen to them.'' We tend to see the world through our own eyes, leaving very little room for what may be outside our vision. People on polar opposites of this issue have understandably demanded that I ''listen to them.'' Both claim to represent a majority of Long Islanders. I don't pay much attention to polls, Mr. Speaker, but a recent poll in Newsday indicated that 70 percent of Long Islanders support the public option. I will say that after that poll, some of the same people who demanded I listen to the majority told me the majority doesn't know what it's talking about so I should ignore it.

I made a final judgment by listening carefully to everyone. I fought and delivered improvements in this bill. Is it perfect? No. Government can never be perfect, and I'll continue to demand that it be more competent. But this bill, for the first time, will give Americans more choice and control over a virtual health insurance monopoly and will finally end the days when someone who has faithfully paid their premiums from hearing that their diabetes, their cancer, their children's autism, are no longer covered.

JO LYNN OSBORNE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud Jo Lynn Osborne for her outstanding service to our community.

Jo Lynn Osborne has served as an advocate for the rights of the disabled since 1980. She began her career as a secretary at the Arc in Jefferson County where she quickly moved into program development. In 1989 she created the Mobilizing Families program, which has won national awards and has been translated into several languages.

The dedication demonstrated by Jo Lynn Osborne directly benefits her community, and is exemplary of her high personal and professional standards. Through individualized advocacy, Jo Lynn Osborne has personally helped thousands of individuals and families achieve greater levels of independence.

Today Jo Lynn Osborne is interim executive director for the Arc in Jefferson County, an active member of the Alameda West Kiwanis Club, and a strong community leader.

I extend my deepest congratulations once again to Jo Lynn Osborne for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

TRIBUTE TO LANDSTUHL REGIONAL MEDICAL CENTER HOSPITAL PERSONNEL

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. SKELTON. Madam Speaker, I rise today to personally thank and commend the 2,837 personnel—including Army, Air Force, Navy, Marine Corps, and Department of Defense civilians and contractors, and coalition liaisons from Canada, Poland, Jordan, and Australia—of the Landstuhl Regional Medical Center in Germany.

These dedicated folks do yeoman's work in providing world class comprehensive care to our warriors wounded in Operation Iraqi Freedom and Operation Enduring Freedom and to more than 52,000 American military personnel and their families in the Kaiserslautern Military Community. They also provide specialized care to nearly 245,000 American military personnel and their families throughout the European Theater.

I can personally attest to the phenomenal work done at Landstuhl. During a visit to Iraq over Thanksgiving 2005, Congressman TIM MURPHY and I were injured in a motor vehicle accident. After receiving excellent care at the Combat Support Hospital in Baghdad, we were moved by C–17 to Landstuhl. I spent several days in room 7 of the Intensive Care Unit there. It is not an understatement to say that the care I received was outstanding. I am sure any of our troops who have been treated there and their families would attest to the same.

Along with my committee's ranking member, BUCK MCKEON, I will soon be leading a congressional delegation to visit wounded

servicemembers and all who care for them at Landstuhl for Thanksgiving dinner. Given the spirit of that holiday, this statement—which I will frame to present to the personnel there—is a fitting tribute to the excellence they deliver every day.

Landstuhl averages over 1,000 total inpatients per month, with a daily average of 20 surgical cases, and 21 admissions and discharges per day. They also bring new life into the world, with an average of three live births per day. They provide specialized care in fields ranging from cardiology to infectious disease to neurology. If it is medically possible, the professionals at Landstuhl make it happen. Our servicemembers know that they and their families will be taken care of.

Perhaps most importantly, though, Landstuhl plays a critical role in caring for our warriors wounded in combat and bringing them back home. After initial treatment in theater, critical care air transport teams bring wounded servicemembers to Landstuhl for stabilization and treatment before being transported to Andrews Air Force Base. The folks at Landstuhl see the vast majority of our wounded and injured in Operation Enduring Freedom and Operation Iraqi Freedom, and they administer the best that modern medicine has to offer.

I also praise the nonmedical services offered at Landstuhl, including liaisons for finance and personnel issues, invitational travel orders for family members and transportation from the airport, issuance of basic civilian clothing and sundry items, and AAFES vouchers and personal shoppers, among other services. This comprehensive care provides the right environment to begin the healing process.

Here, I must also thank those who embody the giving spirit of our Nation. I speak, of course, of the selfless service of the American Red Cross volunteers, Fisher House volunteers and staff, and the members of the USO who make themselves available to our servicemembers and their families 24 hours a day, 365 days a year. No need is too big or too small and no problem too difficult for this group. Their perseverance, creativity, and unyielding commitment to helping others have humbled many a hardened warrior, and we are indeed fortunate to have their support.

Madam Speaker, I am proud to know that we have such an immensely capable group of people looking after the health and well-being of servicemembers and their families. As chairman of the Armed Services Committee and as a former patient, I pay great tribute to the excellence and sacrifice of all who serve at Landstuhl Regional Medical Center. They all deserve our thanks and support.

HONORING BREAK THE BARRIERS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Break the Barriers upon celebrating its 25th anniversary. The organization's anniversary will be celebrated on Wednesday, October 21, 2009, in Fresno, CA.

Ken and Carnie Mullen, Ice Capades performers, had two daughters, Deby and Kathy. Deby was a phenomenal athlete, and at the age of ten began taking gymnastics at the Fresno Gymnastics Club. By the time Deby was sixteen, she had become a regional, state and national gymnastics champion. Kathy also excelled in gymnastics. Although she was born with Down Syndrome, she was able to emulate Deby and competed in the Special Olympics. Deby was beginning to look toward international competition when her gymnastics dreams were cut short by a devastating ankle injury. The injury did not stop her love for the sport. Inspired by her sister Kathy, Deby recognized her calling and began to coach adults who had different physical, neurological and mental abilities.

Deby married Steve Hergenrader, a former New York Yankees baseball player. The couple worked on Steve's grandfather's 20-acre grape vineyard and started a club called, The Tri-City Olympiads. Eventually, they created the Fresno District Special Olympics Gymnastics Program.

Deby and Steve moved away from the family vineyard and found a house that was large enough to house a dance studio inside and gymnastics equipment in the back yard, including old bed mattresses, a trampoline, balance beam, and a vaulting horse with a spring board. This new enterprise was Gymnastics by Deby.

After many years of working with people with various abilities, Deby began to recognize that the barriers that separate one person's ability from another is the lack of opportunity to do anything in common together. Through Deby and Steve's integrated sports and performing arts classes, the students found common ground. The students began learning from one another and all of the students were successful. Without any advertising, the combined classes grew to include 200 children from the age of 3 through adult. A survey conducted of local dance studios, gyms, self-defense classes and baton twirling studios determined that there were no successful programs that integrated students of various abilities. With this knowledge, student's parents helped to form a board of directors and Break the Barriers was created. The organization was officially incorporated as a nonprofit in October 1985, with the mission to "Break all barriers experienced by people with different abilities."

In 1987 the performing group, the Barrier Breakers, was established. The team is a combination of performers, each with amazing abilities, and range in age from 6 to adult. There are currently 58 performers on the team and they perform around the world. There are over 3,000 students that participate in the programs including aquatics, dance, gymnastics, martial arts and sign language. Break the Barriers also provides a buddy program, day camps and health and fitness classes. The programs are made up of students from eight different school districts.

Today at Break the Barriers Steve and Deby, along with their children Jared and Tyler, continue to be dedicated to their original purpose; to break down barriers through a common purpose.

Madam Speaker, I rise today to commend and congratulate Break the Barriers on 25 years of breaking all barriers and allowing people with different abilities to perform together. I invite my colleagues to join me in wishing Break the Barriers many years of continued success.

RECOGNIZING THE KOREAN AMERICAN COMMUNITY SERVICES

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. QUIGLEY. Madam Speaker, I rise today in recognition of the Korean American Community Services and its 32nd Annual Health Fair. The Korean American Community Services has partnered with many health organizations over the past 32 years in holding its Annual Health Fair. Through the fair, the Korean American Community Services reaffirms its strong commitment to individual and family health and has become a celebration of the collective well-being of the community.

The Korean American Community Services organizes and coordinates Federal, State and community-based health services. These services aim to ensure that immigrant families who are often uninsured are able to gain access to necessary health services. In order to do this the Korean American Community Service offers referral services, case management, interpretation, outreach and public benefit workshops. Annually, more than 8,000 people benefit from these services as they continue to promote and protect health in the community.

It is my honor to recognize the Korean American Community Services and its 32nd Annual Health Fair. The Annual Health Fair is significant as it continues to recognize and uphold the importance of health in the community. I thank the Korean American Community Services for its Annual Health Fair and its continued dedication to strengthening the community.

GENERAL ARTHUR J. LICHTE RETIRES AFTER 38 YEARS' SERVICE WITH THE UNITED STATES AIR FORCE

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to recognize General Arthur J. Lichte on the occasion of his retirement from the United States Air Force.

General Lichte grew up in Bronx, N.Y., where he graduated from Cardinal Spellman High School. In 1971, he entered the Air Force as a distinguished graduate of the ROTC program at Manhattan College. General Lichte's Air Force career includes command positions at squadron, group, and wing levels and as a command pilot; he has logged more than 5,000 flying hours in various aircraft. In addition to his command experience, General Lichte has held headquarters-level assignments at Strategic Air Command, Air Mobility Command, United States Air Forces Europe, U.S. Air Force and U.S. Transportation Command. His latest assignment as Commander of the Air Mobility Command began in September 2007.

General Lichte's journey to Air Mobility Command includes many notable achievements. As the 9th Air Refueling Commander at March Air Force Base, he led Strategic Air Command's first mission to the People's Republic of China, and as the acting Second

Wing Commander at Barksdale Air Force Base, he launched and recovered a historic B–52 and KC–10 flight to Russia. It was also at Barksdale that General Lichte, then a Colonel serving as the 458th Operations Group Commander, deployed and commanded a large KC–10 contingent at an austere Middle East location to support Operations SOUTHERN WATCH and RESTORE HOPE.

By August 1995, then Colonel Arthur J. Lichte became Commander of the 92nd Air Refueling Wing (ARW) at Fairchild Air Force Base in Spokane, WA, which was at the time the largest air refueling wing in the Air Force. That year, aircraft from Fairchild flew in support of its first Strategic Arms Reduction Treaty (START) mission, transporting Russian inspectors to sites in the Western U.S. The wing has flown START missions in the U.S. every year since. Successful leadership of the 92nd ARW at Fairchild also led to his promotion to brigadier general.

Brigadier General Lichte soon after was sent to command the 89th Airlift Wing at Andrews Air Force Base, which represents the Air Force to the American people in meetings with presidents and other world dignitaries. In between his successful stint at the 89th Airlift Wing and taking command of the Air Mobility Command, General Lichte served as AMC's Director of Plans and Programs, USAFE's Vice Commander, and an Assistant Vice Chief of Staff of the Air Force.

Notwithstanding an illustrious career with the United States Air Force, General Lichte counts his family and 40-year marriage to his wife Chris, as well as being a grandfather, as his proudest achievements.

Madam Speaker, General Arthur J. Lichte's selfless dedication to the service of his country is honorable and worthy of recognition. I believe I can speak for the Airmen of Air Mobility Command and the United States Air Force in saying that his dedication has positively impacted those with whom he has served during his years with the Air Force and I join them in congratulating him on his retirement and a job well done.

KATHLEEN ALLEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud Kathleen Allen for her outstanding service to our community.

Kathleen Allen is an incredible tri-athlete who has overcome a severe injury to again compete in her sport and win. Kathleen's work with Girls on the Run furthers women's issues by ''educating and preparing girls for a lifetime of self respect and healthy living.''

The dedication demonstrated by Kathleen Allen directly benefits her community, and is exemplary of high personal and professional standards. Kathleen has spent countless hours volunteering with JeffCo Parents Focus on School Nutrition, a group which lobbies for improved school nutrition. In addition, Kathleen has volunteered abroad, spending time in Tanzania bringing technology to hospitals and schools in that country.

I extend my deepest congratulations once again to Kathleen Allen for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING EDWARD C. BLOMMEL OF DADE CITY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to recognize Edward C. Blommel of Dade City, Florida. After 40 years of dedicated service to Tampa Electric Company and Pasco County, Edward has gracefully retired.

Born in Dade City on February 25, 1949, Mr. Blommel attended Pasco Hernando Community College. Today he is married to his wife of 35 years, Libby, and they have two grown children, Nancy and Nicholas.

Beginning his career with Tampa Electric at the age of 20 as a meter reader, Mr. Blommel eventually worked his way into management positions in customer service, energy services, and marketing. Later his responsibilities grew to include community relations, governmental affairs, and economic development for Pasco County in the areas of Dade City, San Antonio, and the town of St. Leo.

Mr. Blommel has been very active in Pasco County, having served on the boards of United Way of Pasco, Pasco Regional Medical Center, Jobs, Education and Partnership Boards in Pasco and Hernando Counties, Downtown Dade City Main Street, East Pasco Habitat for Humanity, and Pasco Education Foundation.

He has served on the Pasco Hernando Community College Foundation Board of Directors since 1998, which he chaired from 2006 to 2008. He also serves on the Dade City Redevelopment Advisory Committee and Pasco County MPO Citizens Advisory Council. In addition, he is the past president and an active member of the Dade City Rotary Club.

Mr. Blommel has championed county-wide economic development, always encouraging being locally united, as exhibited through his service to Pasco Economic Development Council, serving on its board since 1995, including its presidency in 1998.

Madam Speaker, it is public servants like Edward C. Blommel that keep our communities and towns running strong. His dedication and willingness to serve are admired and stand as a model to others. We thank Mr. Blommel for his service and wish him the best in his retirement.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. COFFMAN of Colorado. Madam Speaker, this morning our national debt was $11,991,506,876,413.07. We have added $2,628,074,721.89 to the national debt since Friday, the 6th.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $1,353,081,130,119.27 so far this year.

According to the nonpartisan Congressional Budget Office, the forecast deficit for this year is $1.6 trillion. That means that so far this year, we have borrowed and spent an average $4.4 billion a day more than we have collected, passing that debt and its interest payments to our children and all future Americans.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor on Wednesday, November 4, 2009.

Had I been present on Wednesday, November 4, 2009, I would have voted ''no'' on rollcall vote No. 841 (on ordering the previous question on H. Res. 884), ''no'' on rollcall vote No. 842 (on agreeing to H. Res. 884, which provides for consideration of H.R. 3639), ''aye'' on rollcall vote No. 843 (on motion to suspend the rules and agree to H. Res. 858), ''aye'' on rollcall vote No. 844 (on motion to suspend the rules and agree to H. Res. 839).

PERSONAL EXPLANATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Ms. NORTON. Madam Speaker, on November 4, 2009, I was not able to be present for votes on amendments to H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009. Had I been present, I would have voted ''aye'' on: rollcall 845, rollcall 846, rollcall 847, rollcall 848, and rollcall 849.

On November 6, 2009, I was not able to be present for votes on amendments to H.R. 2868, the Chemical Facility Anti-Terrorism Act of 2009. Had I been present, I would have voted ''aye'' on rollcall 869, and I would have voted ''no'' on: rollcall 870, rollcall 871, rollcall 872, and rollcall 873.

KRISTEN ANDERSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud Kristen Anderson for her outstanding service to our community.

Kirsten Anderson is Senior Vice President and Business Banking Manager for Wells Fargo in the metropolitan area of Denver. She has worked with Wells Fargo for 22 years and has filled many positions in the company.

Kirsten Anderson's dedication to her community is demonstrated by her sense of social responsibility and the many organizations she is affiliated with, including the Executive Committees of Red Rocks Community College

Foundation Board and the Jefferson Economic Council. In addition, she is the 2009 Board of Directors Chair for the Jefferson Economic Council, and is an active member of the Kiwanis Club of Denver West.

Kirsten Anderson's passion lies in her two daughters and is always very supportive of her daughters' success, spending countless hours cheering them on and helping to coach their teams.

I extend my deepest congratulations once again to Kristen Anderson for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING CORNING, NEW YORK, VETERANS OF FOREIGN WARS, POST #524

HON. ERIC J. J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. MASSA. Madam Speaker, I rise today to honor the Corning, New York, Veterans of Foreign Wars Post #524, who this Wednesday will be celebrating Veteran's Day with a ceremony in my district. This year, however, will be a special year, as they will be rededicating the POW–MIA monument in that town which I call home. Though obligations throughout my district will keep me from being able to attend this ceremony with my home post, my thoughts will be with them and with the millions of veterans across our Nation who served our country in times of war, and who even today work to protect our freedoms.

In 1998, Doug Herbert, a marine and Vietnam veteran had a plan. He wanted to build a POW–MIA monument to memorialize and honor the POW's and MIA personnel of all of our Nation's wars. Doug and his wife Jackie designed and drew plans for the monument, and they worked for over a year to raise the funds necessary to see Doug's dream become a reality. Indeed, this original monument was even built in their backyard, and on November 11, 1999, the Herbert's and their comrades at Post #524 dedicated this unique memorial to our Nation's heroes.

This year, on November 11, 2009, a new monument will be dedicated in the place where the original once stood. Doug Herbert's dream is now complete and a new monument of granite and will stand in place forever. For Doug, this was a labor of love as well as a personal journey, but for his comrades and his community, it is an incredible gift. The commitment and hard work of Doug and Jackie Herbert, as well as that of their fellow volunteers, make the rededication of this monument a poignant moment in the proud history of Post #524. And it is through this selfless commitment that the memory of those who served our Nation—the POW's, those missing in action, and those who made the ultimate sacrifice—will be enshrined forever in the hearts of all Americans.

RECOGNIZING THE HARLEM COUNCIL OF ELDERS, INC., SALUTE TO FLORENCE M. RICE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. RANGEL. Madam Speaker, I rise with great pride to join New York Democratic County Leader Keith L.T. Wright and the Harlem Council of Elders to pay tribute to the Harlem Consumer Education Council's founder and president Florence M. Rice.

Florence M. Rice was born on March 22, 1919, in Buffalo, New York. During her childhood, Rice spent several years in the Colored Orphan Asylum and in several foster homes in New York. Upon completion of the eighth grade, Rice left school for work as a domestic seamstress where she became a member of the International Ladies Garment Workers Union. Rice spoke out against the discriminatory practices against African American and Latino workers. She participated in a congressional hearing held by my predecessor Adam Clayton Powell, Jr., in 1962, which probed dressmaker union's policies. After testifying, Ms. Rice was blacklisted in that industry.

In the 1960s, Rice founded the Harlem Consumer Education Council, waging a war against corporations who discriminated against African Americans and other minorities. The council organized many successful New York City boycotts and picket lines against grocery stories, furniture stores, and individuals found to be overcharging minorities. Rice's biggest victory was against the New York State Public Service Commission, forcing New York Telephone to stop charging low income residents pre-installation fees. The Harlem Consumer Education Council investigated over 100,000 complaints.

During the 1970's, Florence was appointed Special Consultant to the Consumer Advisory Council of the Federal Reserve Board. She also taught consumer education at Malcolm-King College and has lectured to thousands at her workshops and seminars. In the 1990s, Rice was responsible for the Bell Atlantic Technology Center in Harlem. Today, the center, Verizon, is dedicated to educating business people, students, senior citizens and other customers about the latest advances in telecommunication technologies. She has lectured in several different countries, including South Africa, where she was named a delegate in the first World Consumer Congress. She has held a number of state, national and international positions. In 1975, Florence served as the Official Member of the United States Delegation to the World Congress of the International Women's Year in Berlin, and in 1976 she served as a representative to the United Nations Congress of Non-governmental Organizations.

Florence Rice is the recipient of the Lane Bryant Award for Volunteer Service, the Sojourner Truth Award, and the Ophelia DeVore Award for Community Service, the National Urban League Frederick Douglass Award, the Consolidated Edison Better Business Award, the Josephine Shaw Lowell Award, the New York Consumer Assembly Prestigious Special Award and the Harold C. Burton Republican Club's 1977 Woman of the Year Award. On June 29, 2006, Florence Rice was interviewed by The HistoryMakers.

Florence M. Rice is a very dear friend and indeed a National Treasure.

SALUTING THE STUDENTS OF THE PLANO WEST SENIOR HIGH SCHOOL, SHEPTON HIGH SCHOOL AND JASPER HIGH SCHOOL FUTURE FARMERS OF AMERICA PROGRAM

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise to congratulate the students of the Plano West Senior High School, Shepton High School and Jasper High School joint FFA chapter on the achievement of Two-Star recognition in the 2009 Future Farmers of America National Chapter Award program.

According to the National FFA Organization, "The National Chapter Award program is designed to award FFA chapters who actively implement the mission and strategies of the organization. Based on a chapter's Program of Activities (POA) local FFA chapters are recognized for working in established areas called "quality standards." The standards are organized into three divisions: Student development; Chapter development and Community development."

The PWSH–SHS–JHS Chapter has had a tremendous year of competition and community service leading up to this award.

The group received its Two-Star award at the 82nd National FFA Convention, October 21–24, 2009 in Indianapolis, Indiana. Six students and the program advisor, Cristen Fowler, were able to attend.

Congratulations one and all. I salute you. The names of the 2009 PWSH–SHS–JHS Future Farmers of America follow:

Syed Akhtar; Ethan Alexander; Sydney Alto; Will Baker; Kristen Barg; Lauren Beyer; Seneca Bottom; Nick Brandon; Mackenzie Brotzman; Chandler Buning; John Bunker; Alicia Cardena; Catherine Carroll; Fernando Carvallo; Claire Caudall; Heather Cook; Riley David; Jessica Davis; Sebra Debrecht; Caroline Deville; and Brittany Diamond.

Ashton Doeringsfeld; Paige Doherty; Thomas Dubis; Blair Edwards; Natalie Fears; Beth Fortner; Dimitri French; Allee Gargililo; Amanda Goldstein; Marie Gowan; Bronte Hampton; Erik Hansen; Riley Harmon; McKenzie Hearn; Haley Henning; Sarah Herigon; Kyra Hochberg; Alyssa Horan; Jordan Hunt; Brandon Jacques; and Tanvi Jaiswal.

Jordan Johnson; Brook Johnson; Nick Kirkwood; Addison Lancaster; Max Leader; Tiffany Lee; Brian Lee; Brady Martin; Robyn McCaffrey; Molly McClellen; Robby McDermott; Molly McLaine; Shedan Medhnie; Madeline Minchillo; Francine Moise; Trevor Mouton; Dardan Neziraz; Melissa Ng; Morgan Nussbaum; Haley Olberg; and Carolyn Pereira.

Haley Price; Brooke Ramsier; Molly Raymond; Morgan Reosenfeld; Ana Reyes; Luke Rivera; Jacob Rizos; Moses Rodriguez; Mark Rule; Dodge Salisbury; Stacy Samuels; Garrett Shepherd; Nia Stewart; Emma Strand; Alison Sutherland; Ore Vangruber; JT Wade; Austin Webster; Kelsey Webster; Claire Wheatly; Ryan Wincester; and Sam Young.

M.L. RICHARDSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor and applaud M.L. Richardson for her outstanding service to our community.

M.L. Richardson has served the Jefferson County community in numerous ways since 1994. Currently, M.L. is serving as the Director of Strategy and Sustainable Development for two area corporations.

M.L. Richardson's dedication directly benefits her community with continued service to Jefferson County through countless volunteer hours spent for area organizations, serving on area Chambers of Commerce and boards including the Jefferson County School District's Bond-oversight committee, the Jefferson Economic Council, Community First Foundation, the Golden Civic Foundation and many others. Additionally, M.L. works to raise funds for area charities such as the Mother Cabrini Shrine.

In the words of one of her colleagues, "M.L. is a woman who exhibits leadership through her everyday actions and has a professional and entrepreneurial spirit that has been proven over and over through countless accomplishments."

I extend my deepest congratulations once again to M.L. Richardson for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

CONGRATULATING SSGT. SHAWN MICHAEL ROBERTS, UNITED STATES ARMY FOR HIS INDUCTION INTO THE SGT. AUDIE MURPHY AWARD PROGRAM

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. YOUNG of Alaska. Madam Speaker, I rise to congratulate a fine Alaskan soldier—SSgt. Shawn Michael Roberts. SSgt. Roberts has recently been inducted into the Sgt. Audie Murphy Award program in the Army. Sgt. Audie Murphy, for whom this award was named, was a famous Hollywood actor, as well as the most decorated American combat soldier of World War II. Sgt. Murphy was a courageous warrior and received every decoration of valor our country has to offer, including two Silver Stars, three Purple Hearts, the Distinguished Service Cross and the Medal of Honor. In short, this induction is one of the highest honors in the Army and reflects the comparable level of commitment and dedication that has been exemplified in SSgt. Roberts' performance.

It is little wonder, in light of his many accomplishments, that Shawn has received this award. Since entering active duty in December 2001 SSgt. Roberts has served two tours in support of Operation Iraqi Freedom, as well as one tour in Bosnia. During his tenure with the U.S. Army, Roberts has received numerous medals of commendation, including the Iraq Campaign Medal with three campaign stars.

Alaskans are proud of our military heritage and I am proud that our country has such noble defenders. I thank SSgt. Roberts for his service to our country and I congratulate him on his induction into this award program.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Ms. ESHOO. Mr. Speaker, I come to the floor today to oppose the amendment offered by my colleague, Representative BART STUPAK. I know that he is following his own conscience, but I want to preserve the right of women nationwide to follow their conscience as well. I support a woman's right to be either for or against abortion. The decision is a private one and it is a matter of faith as well as a matter of conscience, and it is supported by our Constitution.

This amendment is not about federal funding for abortion . . . the current version of the bill and federal law, the Hyde Amendment, already prohibit spending tax dollars to finance abortions. This amendment goes beyond that language. It prohibits private health insurance plans that receive even one dollar of federal funding to offer abortion services to any of their customers. This eliminates coverage for an important health service that millions of women currently have. This amendment leaves women even worse off than they are now. I cannot support such all-encompassing language.

There is a certain irony here that demonstrates how prejudiced this amendment is toward women. Insurance plans would allow a man to obtain Viagra and cause an unwanted pregnancy, but it penalizes women for becoming pregnant.

Insurance is intended to cover the unexpected. Yet, this amendment would deny women the right to purchase their own coverage as part of a regular insurance plan. It will heap an ugly punishment upon those who often times can least afford it, and it will push women into the past of back-alley butchers.

Today women are entitled under the law to a safe abortion. It is estimated that in California before the Roe v. Wade decision, about 100,000 illegal abortions were performed each year. Abortion was the most common single cause of maternal deaths in California prior to 1973. We should not turn back the clock. As we work to provide universal health for all our citizens, women should be protected. This amendment does nothing to advance this and I ask my colleagues to defeat it.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. AARON SCHOCK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Mr. SCHOCK. Mr. Speaker, this past Monday night I decided I could better serve the citizens of the 18th district of Illinois by hosting a town hall meeting to listen to their thoughts and concerns with the Speaker's health care proposal, rather than rush back to Washington to vote on a resolution honoring man's best friend.

As I participated in a town hall in Washington, Illinois with more than 1,000 people in attendance, I heard a reoccurring theme of concern, outrage, disbelief, frustration and fear for what Speaker Pelosi's health care proposal could mean.

The final question of the night came from a young man named Joshua. In a room surrounded by those three or four times his age, young Joshua had the courage to ask me the difficult question if I supported what President Obama wants to do with Healthcare.

I told Joshua that I've spent my first 9 months in office trying to figure out exactly what the President was actually trying to do with health care. It is this precise confusion of goals, conflicting messages and lack of communication from the Majority which has all Americans still trying to figure out exactly what the President and the Speaker are trying to do.

Unfortunately, we've finally learned what they want to do. Tonight, under the cover of darkness, the majority finally passed a health care plan that will raise taxes, raise health care costs, add to our national debt, and hurt America's seniors, families and small businesses. Over half those covered in the bill are done so by expanding entitlements instead of helping them afford insurance. This only exacerbates insurance premiums for ordinary Americans and dramatically increases our nation's debt.

The bill tonight was about expanding the size of government and leading us down the road to a no-choice government-run healthcare system. Instead of working across party lines to pass bipartisan reform, Speaker PELOSI has decided to let the votes against this massive entitlement expansion be the only true thing bipartisan about it.

HONORING PHILLIP MALIK

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to honor the life of Phillip Malik. Mr. Malik passed away on October 8, 2009, at the age of 94. His life was remembered by friends and family on Tuesday, October 13, 2009.

Phillip Malik was born January 1, 1915, in a region of Iran known as Urmia, in the small village of Gengachi. His father was a leader in the village, which was being pursued by marauders with intentions of persecuting all villagers based on their Christian beliefs. They would eventually end their journey in Habbaniya near Baghdad, Iraq. As a young man he survived the Assyrian Genocide and was a manager of the British Officers Club in Baghdad. Mr. Malik set his eyes on the United States, and in 1953 he settled in Chicago, Illinois. Five months later his wife, Maria, and their five children joined him in the United States. They did not like the cold of Chicago, and with a short visit to San Francisco, California, they decided to head west.

When he first moved to California's Central Valley, Mr. Malik worked as a janitor. In 1954, Mr. Malik purchased a 20-acre almond ranch in Keyes, California and later moved to a 40-acre almond and walnut ranch in Ceres. In the late 1950's he began a job selling Airstream trailers. Many years later he started his own mobile-home dealership and eventually branched out into real-estate development and farming. Today, several projects in the greater Modesto area are due to Mr. Malik's work.

Mr. Malik worked 7 days a week; never wanting to rely on others to take care of his family. He believed in helping others, and sponsored 67 extended family members, and assisted about 400 people in immigrating to the United States.

Mr. Malik was preceded in death by two children; Gina Marie and Don, as well as his wife of 65 years, Maria. He is survived by two daughters, Diane Pedota and Linda Glynn; three sons, Ron Malik, Bob Malik and Philip Malik Jr.; eight grandchildren and seven great-grandchildren.

Madam Speaker, I rise today to posthumously honor Phillip Malik. I invite my colleagues to join me in honoring his life and wishing the best for his family.

RECOGNIZING MR. JACK DARIN ON HIS 20 YEARS OF ADMIRABLE SERVICE TO THE ILLINOIS SIERRA CLUB

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. QUIGLEY. Madam Speaker, I rise today in recognition of Mr. Jack Darin, Director of the Illinois Sierra Club and a powerful advocate for the environment, both in Illinois and across the nation. Mr. Darin has admirably served the Illinois Sierra Club for 20 years and throughout his tenure he has worked selflessly to promote causes including safeguarding our community's health, protecting the great outdoors, and finding viable energy solutions for the 21st century.

Madam Speaker, I recognize Jack today not only because he is a personal friend of mine, but because he is an example for all that one person can have a substantial impact on the future on the environment. Jack has successfully advocated for nutrient standards in sewage treatment plants, encouraged Illinois to adopt the toughest mercury limits for coal-burning power plants and led the fight for Illinois to possess robust anti-degradation rules for streams and rivers. His efforts have resulted in greater protection for Americans against health hazards and expanded access to the most basic human needs: clean water and clean air.

Since its founding in 1892, The Sierra Club has worked to protect and promote our great outdoors. Jack Darin has taken this mission to heart and is a true champion of conservation. Under his leadership, the Sierra Club prevented the destruction of thousands of acres of the Lake Calumet wetlands and in the process preserved the natural habitat of hundreds of plants and animals. The Illinois Sierra Club has also helped restore another natural treasure for the people of Illinois, the Midewin Tall Grass Prairie. Midewin is a unique resource because it both protects wildlife and provides opportunities for education and recreation, such as twenty-two miles of public trails for hiking, biking, and horseback riding.

Despite these successes, Mr. Darin continues to find creative solutions to Illinois's complex environmental issues. Mr. Darin helped establish the Renewable Energy Portfolio for Illinois requiring 25% of state power to come from renewable sources by 2025. As a result, Illinois legislators are an example for the nation because all electricity for the Springfield Capitol Complex is now derived solely from wind power. Jack work has also extended well beyond Illinois as he serves as a consultant on environmental issues for the President Obama's campaign in 2008.

Madam Speaker, the work of Mr. Darin, the Illinois Sierra Club and like minded individuals have placed environmental issues at the crux of our nation's political debate. Their work helps our society expand and grow in a responsible fashion and improve our quality of life. Thank you, Mr. Darin, for your 20 years of service to the Sierra Club, to Illinois and to your country.

PEGGY HALDERMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. PERLMUTTER. Madam Speaker, I rise today to honor applaud Peggy Halderman for her outstanding service to our community.

The dedication demonstrated by Peggy Halderman directly benefits her community, and is exemplary of her high personal and professional standards. She started the Golden Backpack Program which currently feeds 242 children in 3 area schools by providing packs of food for the children to take home on weekends.

In addition to Peggy Halderman's dedicated efforts to feed hungry local children, as a professional chef she volunteers and supervises members of the Golden Rotary Club as they provide monthly luncheons at one of the two subsidized housing complexes located in Golden.

I extend my deepest congratulations once again to Peggy Halderman for her recognition by the West Chamber of Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

STATEMENT REGARDING H. RES. 867

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Ms. ZOE LOFGREN of California. Madam Speaker, after careful consideration of House Resolution 867, I joined 22 other Members of Congress in voting "Present" on November 3rd. This resolution denounces the "Report of the United Nations Fact Finding Mission on the Gaza Conflict," also known as the "Goldstone Report," and calls on the President to oppose any further consideration of the report.

While I agree that the Goldstone Report is biased, in my view, the harsh tone employed by both this resolution and the U.N. does nothing productive for the ultimate goal of peaceful reconciliation, and this entire discussion suffers as a result. There are some conclusions in the Goldstone Report itself worthy of our consideration and H. Res. 867 does all parties a disservice by ignoring that fact.

This Resolution contained inaccuracies and was rushed to the floor without Congressional hearings. Investigations should be conducted before such harsh criticisms are leveled. Israel itself, a positive example of democracy in the Middle East, has previously conducted internal investigations of its military operations that were both transparent and constructive.

I have always been a strong supporter of Israel, which has long been one of our most loyal allies. I believe that we must lead in the effort of bringing peace to the Middle East, but at the same time, we must ultimately allow the Israeli people, who are committed to democratic rule, to determine their own course.

IN RECOGNITION OF THE PASSING OF DR. BERT SUTTON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Dr. Bert Sutton, a Northwest Florida leader who passed away on November 12, 2009. Dr. Sutton spent his life serving our community, and I am proud to honor his lifetime of dedication and service.

Dr. E.W. "Bert" Sutton was born in Tuscaloosa, Alabama and grew up in Port St. Joe, Florida. After graduating from the University of Alabama and then Tulane Medical School, Bert opened his first practice in 1960 in Santa Rosa County, Florida. In 1979, Bert was appointed Director of the Santa Rosa County Health Department, where he served for over 24 years until his retirement in 2003. He oversaw public health in the county for more than two decades.

In addition to his day-to-day duties at the Department of Health, Dr. Sutton was instrumental in the opening of the Rehabilitation Institute of West Florida in 1978, now a part of the West Florida Hospital System. The institute serves people recovering from accidents and those suffering from neurological or orthopedic conditions. He also helped found the Rehabilitation Foundation of Northwest Florida which provides financial support for disabled people to receive physical therapy and prosthetics. In 2001, Dr. Sutton helped establish the Santa Rosa Community Clinic providing medical services to the poor and uninsured. He always put service to others first, and he will be missed by all of us in Northwest Florida.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize the life of Dr. Bert Sutton. With close to 50 years of faithful service to Northwest Florida, Bert will be forever remembered as a part of the fabric of our community. My wife Vicki and I offer our prayers for his wife, Fran, children, Karen, Sherman, Steven, Patsy, Erin, Stacy, and Tracey, grandchildren, great-grandchildren, and entire extended family as we remember and honor the life of Bert Sutton.

RECOGNIZING THE SUCCESS OF THE ST. CHARLES GOLF TEAM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. TIBERI. Madam Speaker, I rise today to honor and pay tribute to St. Charles Preparatory School in Columbus, Ohio. St. Charles is in my congressional district, and I am proud to recognize a school that not only excels in academics but also distinguishes itself in athletics. The St. Charles Golf Team recently won the 2009 Division I Ohio State Golf Championship. In the championship meeting, St. Charles came from behind to defeat Cincinnati St. Xavier, Cleveland St. Ignatius and Columbus Dublin Coffman. This was the first ever state title for the school's golf program.

The golf team exemplifies outstanding hard work, determination and perseverance. Such a win stands as a reflection of the many hours of practice and level of commitment exhibited by all team members.

Their victory was directed by such talented golfers as Senior Andrew Steffensmeier, Juniors Alex Carpenter, Michael Ricaurte and Daniel Wiegandt, and Sophomore Nate Yankovich.

Coached by Anthony Mampieri, this St. Charles alumnus helped instill in his team a commitment to excellence and culture of teamwork.

It is an honor to represent such a fine group of young people who have a strong dedication to teamwork and academics. I know each one of them will treasure the memories of their championship season and I commend them, and the St. Charles community, for this truly great achievement.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Mr. THOMPSON of Mississippi. Mr. Speaker, I and others have spoken at length on the ways that this bill will improve health care for all of our constituents. Another significant benefit of this legislation which has not received as much attention will be the creation of new high-paying jobs in this country. Let me repeat that for some of my friends on the other side of the aisle, this bill will create high-paying, high-quality jobs in health care delivery, technology, and research in the United States.

First, this bill will create enormous demand for health care workers, especially in the area of primary care. Insuring millions of Americans in this country who currently have no insurance will allow them to see primary care providers and receive the wellness and preventive care they have been denied for too long. This influx of new patients will need doctors, nurses and technicians for their care, while reducing overall health care costs because they will not need much more expensive hospitalizations. I support channeling resources that for too long have been used to treat people once they become sick into jobs and services that will prevent people from getting sick in the first place.

Second, this bill will continue the efforts we began in the stimulus package to deploy new health information technologies that better manage both the quality of care patients receive and the cost at which they receive it. New health care exchanges and new demands on the health system to provide high-quality and cost-effective health care will create new opportunities and markets for our brightest minds in technology. They will be incentivized to create and develop products that will be a win/win for Americans: high-quality health care at an affordable price.

Third, this bill will create high-quality research opportunities in this country. The Energy and Commerce Committee enacted a framework for allowing biosimilar competition in this country. This new class of medicines will help lower costs and bring competition to one area that is key to the future of our health care system. Biotechnology is on the cutting edge of efforts to reduce costly invasive procedures and allow our constituents to live healthier and more productive lives. The creation of this new class of medicines comes with requirements for new clinical research and testing, especially in the area of whether a new biosimilar can be interchangeable with an innovator's product. This research will create high-quality and high-paying jobs and it is imperative that we keep this research and these jobs in this country. We cannot allow these research opportunities to leave the United States and we must ensure that these new medicines are safe. I intend to work with the Secretary of HHS and the Commissioner of the FDA to ensure that the testing and research on these biosimilars occur in this country to make certain that it is done properly and safely and to benefit our economy.

Mr. Speaker, this bill is an investment and an exciting opportunity to create the kind of jobs we so desperately need in this United States while at the same time improving the lives of all Americans. This bill will improve health care, create jobs, and grow our economy.

EMERALD PEOPLE'S UTILITY BOARD

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. DEFAZIO. Madam Speaker, at a time when our economy is focused on recovery, adopting renewable sources of electricity will spur job creation and economic growth, save consumers money, and reduce greenhouse gas pollution. People's Utility Districts (PUDs) have consistently been at the forefront of this effort.

Emerald PUD, in my congressional district, is an excellent example of People's Utility Districts that have consistently demonstrated a commitment to delivering clean energy and conservation resources to their customers. Due to their relatively small size and local consumer ownership, PUDs are able to meet the unique energy needs of their community while also investing in local renewable energy resources.

For more than a decade Emerald PUD has offered clean renewable energy options to their customers. Their customers have the option to purchase a percentage—or all—of their energy from clean wind power sources. In addition, Emerald PUD regularly assists customers in gaining access to solar energy. Through generous assistance programs they have helped numerous area schools, businesses, and homes to install solar energy systems.

Beyond this investment in sustainable energy, Emerald PUD has made a priority of aiding local residents, industry, and businesses with energy conservation efforts. These projects range from weatherization of homes to the large-scale installation efficient lighting in industrial facilities. Through this sort of individually tailored energy consultation, Emerald PUD has facilitated significant energy savings for many customers who otherwise may not have had access to such resources.

Emerald PUD has demonstrated an extraordinary dedication to bringing clean energy and energy conservation resources to all of their customers. Notably, Emerald—and other PUDS—have shown that this can be done while still holding energy costs well below the national average.

RECOGNIZING THE RETIREMENT OF DENNIS SHUMAN FROM THE OFFICE OF THE PUBLIC DEFENDER FOR THE FIRST JUDICIAL CIRCUIT OF FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Mr. Paul Dennis Shuman, a Northwest Florida leader who is retiring after a lifetime of public service to his country and his community. Dennis spent his career serving others, and I am proud to honor this dedication and service.

After graduating from the Naval Academy in 1965, Dennis Shuman began a career in the United States Navy. He earned his Naval Aviator Wings of Gold in December of 1966, and his first operation was as a bombardier in Observation Squadron Sixty-Seven in Vietnam. Subsequent Navy tours took Dennis across the globe in service of his country. For his efforts, Dennis earned the Meritorious Service Medal, three Air Medals, the Navy Commendation Medal with Combat V, the Navy Achievement Medal, the Navy Expeditionary Medal, and the Vietnam Service Medal with four stars. In May of 2008, Dennis and the other surviving members of Observation Squadron Sixty-Seven were presented with the Presidential Unit Citation at the Navy Memorial in Washington, DC for their actions over the jungles of Southeast Asia in 1967 and 1968. This is the highest award given to a United States military unit.

Dennis retired from the Navy in 1985 after twenty distinguished years. He graduated from the Florida State University College of Law in 1989 and began his second career as a public servant by joining the Office of the Public Defender in Pensacola, Florida. For twenty years he served the people of Northwest Florida, and he retires as the Chief Assistant Public Defender for the First Judicial Circuit.

In addition to his professional life, Dennis serves on the Juvenile Justice and Delinquency Prevention State Advisory Committee, a governor-appointed position. He is also actively involved in several local community service organizations including the Boy Scouts of America and First Baptist Church.

Madam Speaker, on behalf of the United States Congress, I am honored to recognize Dennis Shuman for his service to Northwest Florida and the United States of America. He has been a dedicated public servant for over forty years. My wife Vicki and I wish all the best for Dennis and his family as they embark on this next journey in their lives.

HONORING THE LIFE OF DR. JULIAN K. QUATTLEBAUM, JR.: BELOVED PHYSICIAN, HUSBAND, FATHER AND GRANDFATHER

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. KINGSTON. Madam Speaker, I rise today to honor the life of Dr. Julian Killen Quattlebaum, Jr. who died today at Candler Hospital in Savannah, Georgia.

Dr. Quattlebaum was born in Savannah on January 16, 1926, attended Charles Ellis School, Richard Arnold Jr. High School, Savannah High School, and graduated cum laude from the Taft School in Watertown, Connecticut. He entered the University of Georgia in September 1943 and was accepted as a member of Phi Eta Sigma freshman honor society and Sigma Chi social fraternity.

His formal education was interrupted when Dr. Quattlebaum was drafted into the Army during World War II. He served as an infantryman in the Western Pacific Theater, and as a surgical tech in the medical department after the surrender of Japan, where he was stationed in the Philippines.

In 1947, Dr. Quattlebaum returned to the University of Georgia, graduating as a member of the Phi Beta Kappa honorary scholastic society in 1948. He was also a member of the Gridiron Society.

Dr. Quattlebaum graduated summa cum laude from the Medical College of Georgia in 1951 and was president of the Alpha Omega Alpha honorary scholastic society chapter there. He then pursued six years of surgical training at the Johns Hopkins Hospital in Baltimore, Maryland. In addition to general surgery, Dr. Quattlebaum's residency provided valuable experience in a wide variety of fields including plastic, head and neck, and cardiothoracic surgery. Johns Hopkins was known for its pyramid residencies in which a number of physicians began their training but only one or two progressed to the level of chief resident and completed the program. Dr. Quattlebaum became one of those prestigious few during his residency, serving as Chief Resident Surgeon from July 1956 to July 1957.

Dr. Quattlebaum next completed a one-year surgical fellowship at the Mayo Clinic in Rochester, Minnesota—educating himself always with a vision of bringing the benefits of that gained knowledge home to Savannah. He returned to that city in July 1957 and practiced general, cardiothoracic and laparoscopic surgery here until his retirement in July 2001.

While practicing initially in all nine hospitals in Savannah, Dr. Quattlebaum dedicated himself especially to the creation of the surgical training program at Memorial Hospital. As one of the premiere cardiac surgeons at Memorial, he trained at the National Heart Institute and then raised money in order to establish Savannah's first Cardiac Catheterization Laboratory there. He served as Chief of Surgery at Memorial from 1965 to 1967. He served also in that same capacity at Candler Hospital concurrently and for a total of ten years, as well as the State Board of Health on behalf of Governor Carl Sanders. A massive heart attack in 1967 forced a reduction in Dr. Quattlebaum's schedule; however, he continued to host a monthly Journal Club for the surgical house staff at Memorial for many years.

Among the countless innovations he oversaw, and which advanced the practice of medicine in Savannah, Dr. Quattlebaum introduced the technique of surgery under hypothermia (to allow surgical interruption of blood flow during surgery), this prior to the availability of cardiopulmonary bypass. In January 1990, he performed Savannah's first laparoscopic cholecystectomy, and he was active in advancing use of the laparoscopic technique in numerous procedures of general surgery. Shortly thereafter, he performed the world's first laparoscopic removal of a common bile duct stone.

Dr. Quattlebaum was active also as an administrator: he served on the Board of Trustees of Candler Hospital, was a member of the Candler Foundation Board, and served as the Chairman of Candler's Institutional Review Board for ten years. As well, he was a member of the Georgia Medical Society and the Medical Association of Georgia, serving on its Professional Standards Review Organization Committee's founding committee; and he was a member of the Johns Hopkins Medical and Surgical Society, the First District Medical Society, the Georgia Surgical Society and the Southern Surgical Association.

On October 20, 2009, Dr. Quattlebaum received the Physician Legends of St. Joseph's/Candler Health System award for innovations defining new frontiers and greatly enhancing the quality of patient care. In his acceptance speech before the assembled medical staff, he shared highlights from his career, which began during his teenage years when he regularly assisted his father in surgery.

Outside of the academic world, Dr. Quattlebaum was active in sports car racing. He was an enthusiast, hobbyist and historian, being Regional Executive (President) of the Savannah Region of the Sports Car Club of America. He held Sports Car Club of America (SCCA) national and Fédération Internationale de l'Automobile (FIA) international competition licenses and raced throughout the area, including at Daytona. He qualified twice for the interdivisional races in California and was an instructor for SCCA driving schools. He was steward for SCCA and FIA races, and he organized and participated with the medical team in several such events.

Dr. Quattlebaum was also a charter member of both the Savannah Sports Fishing Club and the German Heritage Society, of which he was a past President. He served as President of the Cotillion Club and was a member of the Savannah Yacht Club and the Oglethorpe Club. He was a member of the Isle of Hope United Methodist Church and the Seekers Sunday School class, as well as a devoted member of the Rotary Club of Savannah South.

Before and during his retirement, Dr. Quattlebaum spent time gardening and growing fruits and vegetables, including an abundance of raspberries, on his farm in Springfield, Georgia. He particularly enjoyed harvest time, when he shared his fruits and vegetables and visited with family and friends throughout the community.

Dr. Julian K. Quattlebaum, Jr. was predeceased by his parents, Dr. Julian Killen Quattlebaum and Helen Burkhalter Quattlebaum; a sister, Helen Quattlebaum Artley; and a daughter, Christie Elaine Quattlebaum.

He is survived by his loving wife of 38 years, Ruth Allen Quattlebaum; by three sons, Julian Killen Quattlebaum III (Kanittha), David Martin Quattlebaum (Adrian) and John Thomas Quattlebaum (Louise); three daughters, Tracey Quattlebaum McMillan (Gregory), Laura Quattlebaum Gower (Austin) and Katherine Quattlebaum Harper (Benjamin); a sister, Barbara Quattlebaum Parr; and eleven grandchildren.

CENTRAL LINCOLN PEOPLE'S UTILITY BOARD

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. DEFAZIO. Madam Speaker, at a time when our economy is focused on recovery, adopting renewable sources of electricity will spur job creation and economic growth, save consumers money, and reduce greenhouse gas pollution. People's Utility Districts (PUDs) have consistently been at the forefront of this effort.

Central Lincoln PUD, in my congressional district, is an excellent example of People's Utility Districts that have consistently demonstrated a commitment to delivering clean energy and conservation resources to their customers. Due to their relatively small size and local consumer ownership, PUDs are able to meet the unique energy needs of their community while also investing in local renewable energy resources.

With the assistance of a nearly $10 million federal grant, Central Lincoln PUD is poised to implement an energy saving smart grid system. Central Lincoln will contribute an additional $9 million to the endeavor. A portion of these funds will go toward the installation of smart meters in home and business. These advanced meters will empower consumers to more effectively manage their energy use, leading to significant savings.

In addition to the smart grid project, Central Lincoln PUD has made a priority of aiding local residents, industry, and businesses with energy conservation efforts. These projects range from weatherization advice for homes to the large-scale implementation of energy saving measures at local businesses. Through this sort of individually tailored energy consultation, Central Lincoln PUD has facilitated significant energy savings for many customers who otherwise may not have had access to such resources.

Capitalizing on their costal location, Central Lincoln PUD has become a significant player

in the development of wave energy technology. As a platinum sponsor of Oregon State University's Wallace Energy Systems & Renewable Facility, Central Lincoln PUD directly contributes to research into this clean and renewable technology.

Central Lincoln PUD has demonstrated an extraordinary dedication to bringing clean energy and energy conservation resources to all of their customers. Notably, Central Lincoln—and other PUDs—have shown that this can be done while still holding energy costs well below the national average.

CONGRESSMAN BROWN HONORS WORLD WAR II VETERANS FROM SOUTH CAROLINA'S FIRST DISTRICT WHO PARTICIPATED IN THE LOWCOUNTRY HONOR FLIGHT

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. BROWN of South Carolina. Madam Speaker, I rise today in honor of the 94 World War II Veterans from South Carolina's First District that participated in the Lowcountry Honor Flight on Saturday, November 7, 2009.

The Honor Flight Network brings America's senior veterans to Washington, DC to visit the memorials dedicated to their service and sacrifice. Today I had the honor to meet with World War II Veterans from my district and I felt privileged to shake the hands of some of our greatest heroes as they gathered around the World War II Memorial.

This month we are reminded of the selflessness and sacrifice of many of our uniformed men and women and I was grateful to have the opportunity to personally thank World War II Veterans from South Carolina's First District for their dedicated service to our country.

HONORING THE LIFE OF STAFF SERGEANT JUSTIN M. DECROW OF PLYMOUTH, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. DONNELLY of Indiana. Madam Speaker, I rise today to remember and honor the life and service of Staff Sergeant Justin M. DeCrow, a native son of Plymouth, Indiana, and a proud member of the United States Army. The servicemen and women of the United States Armed Forces serve with a selfless willingness to make the ultimate sacrifice for the country they love and protect. A career soldier with 13 years of honorable and dedicated service, Justin's life was tragically cut short in a senseless act of violence when a gunman opened fire at a Soldier Readiness Processing facility at Fort Hood in Texas on the 5th of November.

Justin always wanted to be a soldier. He graduated from Plymouth High School in 1996, married his high school sweetheart that spring, and enlisted in the United States Army immediately thereafter. He pursued a career as a soldier in the Army out of an unfailing love of country and a desire to make a better life for his family.

In the early part of his 13 year career as a soldier, he performed light vehicle maintenance. In 2000, Justin and his family moved to Evans, Georgia, after he was assigned to nearby Fort Gordon, where he underwent training as a communications satellite operator. He was stationed in that capacity in South Korea from September 2008 to August of this year. In September, he was stationed with the 16th Signal Company at Fort Hood, Texas. He had hoped to return eventually to Fort Gordon, when an opening became available, to be with his wife and daughter.

At Fort Hood, Justin was involved in training new soldiers. He will be remembered by his fellow soldiers in the United States Army as a mentor with an undeniable charm and quick wit, and by friends and family as a loving and devoted father and husband. He is survived by his wife of 14 years, Marikay, their 13-year old daughter, Kylah, and two proud parents: Daniel DeCrow and Rhonda Thompson. He will be missed by all.

It is my solemn duty, and humble privilege, to honor the life, service, and memory of Staff Sergeant Justin M. DeCrow, which stand as a testament to the great honor possessed, and sacrifices made, by our men and women in the armed forces and their families. We mourn his loss and offer solemn gratitude for his service.

IN RECOGNITION OF THE MARTY MAJORS FAMILY AS THE 2009 HOLMES COUNTY FARM FAMILY OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. MILLER of Florida. Madam Speaker, it is a privilege for me to rise today to extend congratulations to the Marty Majors family for being selected the 2009 Holmes County, Florida Farm Family of the Year. The Majors family is an integral part of the Northwest Florida community, and I am proud to honor their achievements.

Marty and Tiffany Majors married in 1992. They have been farming full-time since 1996, but the land on which they farm has been owned by the Majors family for over 100 years. Their son, Blake Majors, is a 7th grader at Bethlehem High School and a member of the Future Farmers of America. Together, the family grows soybeans, peanuts, corn, oats, and wheat. By using strip till farming practices, the Majors are one of the area's best soil conservationists. The family also manages a significant acreage of timberland and does custom grain harvesting as part of their agricultural enterprise.

Madam Speaker, on behalf of the United States Congress, I would like to offer my congratulations to the Majors family's tireless work and dedication to family, faith and trade. They are an outstanding example of the farm families that make up the backbone of our nation. My wife Vicki and I wish Marty, Tiffany, and Blake best wishes for continued success.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. CONAWAY. Madam Speaker, on rollcall No. 865, Democrat Adjournment Resolution, had I been present, I would have voted "nay"; on rollcall No. 866, H. Res. 893—Congratulating the 2009 Major League Baseball World Series Champions, the New York Yankees, had I been present, I would have voted "yea"; on rollcall No. 867, H.R. 3788—To designate the facility of the United States Postal Service located at 3900 Darrow Road in Stow, Ohio, as the "Corporal Joseph A. Tomci Post Office Building," had I been present, I would have voted "yea"; on rollcall No. 868, S. 1211—To designate the facility of the United States Postal Service located at 60 School Street, Orchard Park, New York, as the "Jack F. Kemp Post Office Building," had I been present, I would have voted "yea"; on rollcall No. 869, Thompson (D–MS) Amendment, had I been present, I would have voted "nay"; on rollcall No. 870, Barton (R–TX) Amendment, had I been present, I would have voted "nay"; on rollcall No. 871, Dent (R–PA) Amendment No. 4, had I been present, I would have voted "yea"; on rollcall No. 872, Dent (R–PA) Amendment No. 5, had I been present, I would have voted "yea"; on rollcall No. 873, McCaul (R–TX) Amendment, had I been present, I would have voted "yea"; on rollcall No. 874, Motion to Recommit, had I been present, I would have voted "yea"; and on rollcall No. 875, H.R. 2868—Chemical Facility Anti-Terrorism Act of 2009, had I been present, I would have voted "nay."

EARMARK DECLARATION

HON. DEAN HELLER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. HELLER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996 the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010:

Requesting Member: Congressman DEAN HELLER

Bill Number: H.R. 2996

Account: Environmental Protection Agency—STAG Water and Wastewater Infrastructure Project

Legal Name of Requesting Entity: City of Fernley, Nevada

Address of Requesting Entity: 595 Silver Lace Blvd., Fernley, NV 89408

Description of Request: $300,000. This project will replace the current tank-based solids handling method with the construction of mechanical dewatering facilities. This facility's microfiltration design for arsenic removal includes solids handling storage tanks. Rehabilitation for mechanical dewatering of the residuals handing would allow the City of Fernley to provide its residents with higher quality and safer water for the long term. This project also falls in line with the mission of the EPA by

protecting and safeguarding Fernley residents' health and environment.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Ms. SPEIER. Mr. Speaker, tonight as we prepare to pass a historic health care bill that provides expanded health care coverage to Americans and is more than sixty years in the making, I am concerned that we must first fight to block a direct assault on a woman's right to choose.

America's Affordable Health Choices Act is fair and equitable in its approach to abortion and respects the rights of those who want to purchase a plan that provides abortion coverage and those who do not. It guarantees that no public funds are used to pay for abortion services—codifying the long standing Hyde amendment.

The anti-choice Stupak Amendment seeks to take away a woman's right to pay for her own abortion services, forcing millions of women to retreat to the shadows and an era in which back alley abortions were too often the norm. That is why I will stand up this evening and vote against the Stupak Amendment—ensuring that every woman in this country has the reproductive freedom that she desires and that her mother and mother's mother fought so hard for.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 7, 2009

Mr. POLIS. Madam Speaker, I would like to express my strong opposition to the Stupak/Pitts Amendment, which unfortunately passed the House by a vote of 240–194. This amendment places a woman's right to choose at risk, for it would place new obstacles in the way of women seeking reproductive health care services. The Stupak Amendment goes further than existing laws. This amendment dictates which medical procedures are offered in the private market.

Health care reform is supposed to increase coverage. This amendment singles out women and reduces their coverage. Women's access to comprehensive reproductive health services is not just about equality between men and women but also equality along economic lines. This amendment sets up a system where only wealthier women could afford a safe abortion. It would prohibit low-income women who receive affordability tax credits from purchasing a private insurance plan that covers abortion, despite the fact that over 80 percent of health insurance plans currently cover abortion. In other words, a woman who happens to be low-income will be denied the right to purchase a health care plan with abortion coverage simply because she qualifies for affordability tax credits. This is discriminatory, plain and simple.

Besides purchasing insurance in the exchange, the primary alternative for low-income individuals is the public option. Not only does this amendment prohibit access to abortion coverage if a low-income woman receives affordability tax credits in the exchange, but this amendment also prohibits the public option from providing abortion care, despite the fact that it would be funded through private premium dollars.

Under the Stupak Amendment, low-income women who either receive affordability tax credits or purchase insurance through the public option have to purchase a separate, single-service ''abortion rider'' policy. Not only does this idea discriminate against low-income women but it makes no sense either. Women who end up in the tough position of having to seek an abortion never planned on being in that situation. The vast majority of women will not choose to purchase an ''abortion rider'' policy because they do not plan on ever having an abortion, and when the day arises when they may need abortion coverage, unfortunately it will not be there for them.

The women of America should have access to their fundamental right to choose, regardless of their income level. I urge my colleagues to join me today in defense of that fundamental right.

IN RECOGNITION OF THE 50TH WEDDING ANNIVERSARY OF MR. AND MRS. RICHARD K. RAISANEN

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mr. ROGERS of Alabama. Madam Speaker, I respectfully request the attention of the House to pay recognition to an important day in the lives of two constituents and friends of mine, Mr. and Mrs. Rick Raisanen.

On December 4, 2009, Rick and Molly Raisanen will celebrate their 50th wedding anniversary. Rick was born on November 27, 1939, and his wife, Molly, was born on July 7, 1940.

The couple met at the skating rink at Fort McClellan. They married on December 4, 1959 at Centurion Chapel at Fort McClellan.

Over the years, Rick and Molly have been blessed with two children, Keith and Kelli; and four grandchildren, Molly Kristen, Olivia, Emma Grace and Braden. Rick retired from Bell South and Molly retired from Jacksonville State University.

On Saturday, December 5, the couple along with their family and friends will celebrate their anniversary at Saks Baptist Church.

I would like to congratulate my friends, Rick and Molly, for reaching this important milestone in their lives. They are shining examples of love and dedication for us all, and I wish them and their family all the best at this important occasion.

IN APPRECIATION OF BURLINGAME CITY COUNCILWOMAN ROSALIE O'MAHONY

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Ms. SPEIER. Madam Speaker, for twenty years, the people of Burlingame, California have depended on Rosalie O'Mahony's intelligence, hard work and love for her adopted city. First elected in 1989, Rosalie O'Mahony has served five terms on the City Council, including five separate stints as Burlingame's mayor.

To know Rosalie is to know her passion for her community. For the more than three decades that I have had the immense pleasure of Rosalie's friendship, we have never had a conversation where she did not speak about a person or group in need or an intersection that could be safer. Rosalie lives and breathes community service and our entire region has benefited greatly by her inspired decision to move to Burlingame in 1965.

The reason for her move was so that Rosalie could accept a job on the faculty of the College of San Mateo's mathematics department. For more than forty years she has shared her knowledge with generations of students and continues to do so now as an adjunct instructor. In a region where some of the best jobs are in technological fields, excellent math instruction in our local colleges is vital to our area's economic success and Rosalie O'Mahony certainly has been a big part of that success.

Madam Speaker, one mention in the CONGRESSIONAL RECORD could not possibly hold all of the accomplishments of this incredible woman. Her community service includes being chair of The American Cancer Society and board member of The Easter Seal Society and The Suicide and Crisis Prevention Center. She also served on the San Mateo County Grand Jury and has been—or continues to be—a member of The Burlingame Newcomers Club, The Irish Literary and Historical Society, the Burlingame Historical Society, Burlingame Beautification Commission, the San Mateo County Transportation Citizens' Advisory Committee and the Burlingame Aquatic Foundation.

As part of her official duties, Rosalie has represented her city on the Airport Roundtable, the County Emergency Services Committee, the San Mateo County Investment Oversight Committee, City and County Association of Governments, Bay Area Water Supply and Conservation Agency and the San Mateo County Transportation Authority.

In recognition of her years of service to her community, earlier this year Councilwoman O'Mahony was chosen as Burlingame's Citizen of the Year for 2009.

Madam Speaker, any day that includes a chat with Rosalie O'Mahony is a day where I learn something new. Burlingame won't be quite the same without Rosalie on the City Council but, without a doubt, Burlingame would not be the city it is today had Rosalie not moved here and volunteered to serve.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Mrs. McCARTHY of New York. Madam Speaker, on November 4, I missed one vote. Had I been present, I would have voted as follows.

Rollcall No. 844, on the Motion to Suspend the Rules and Agree, as Amended, to H. Res. 839, I would have voted "yea."

IN HONOR OF "TEACHER OF THE YEAR" VALERIE ZIEGLER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2009

Ms. SPEIER. Madam Speaker, I rise today to honor a special woman who goes above and beyond the call of duty to educate the children of our fine city of San Francisco.

Valerie Ziegler was one of only five teachers—out of the more than 310,000 who serve in California public schools—to be honored as a 2009 Teacher of the Year. She is the first teacher ever from the San Francisco Unified School District to receive this honor. Perhaps most impressive is that she gave up a more lucrative career, as a technology consultant, so that she could teach. In just her sixth year in the profession, Ms. Ziegler carries an impressive load, teaching U.S. History, Economics and Advanced Placement U.S. Government at San Francisco's Lincoln High School. In addition to her course-work, she partnered with other Lincoln teachers to start the "green academy" to prepare students for careers in the new clean-energy economy.

Praise for Ms. Ziegler from parents, administrators, fellow teachers and—in particular—her students, is virtually unanimous. Tales abound of her devotion to those she teaches and the extra effort she puts in to not only teach but instill a lifelong love of learning in her students.

But Madam Speaker, Ms. Ziegler will be the first to say that the credit doesn't belong solely to her. Valerie is the daughter of a 30 year public school teacher who worked primarily with hearing-impaired students. Valerie spoke glowingly about the examples her mother set—how she spent her own money on hearing aid batteries for her students, drove them to appointments, even visited former students in jail.

We hear a lot about family values in our line of work, but the Ziegler family lives it. With the daunting challenges facing public education in San Francisco, California, and indeed the nation, teachers like Valerie Ziegler must be encouraged and rewarded. Society as a whole is benefited by these special people who choose to devote their lives so that our children have every opportunity to achieve all that they set their sights on.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 17, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 18

Time to be announced

Homeland Security and Governmental Affairs

Business meeting to consider the nomination of Daniel I. Gordon, of the District of Columbia, to be Administrator for Federal Procurement Policy.

S–216, Capitol

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine reforming the United States financial market regulation; to be immediately followed by a hearing to examine the nomination of Jill Long Thompson, of Indiana, to be a Member of the Farm Credit Administration Board, Farm Credit Administration.

SD–106

Environment and Public Works

Business meeting to consider an original bill entitled "Economic Development Revitalization Act of 2009".

SD–406

Judiciary

To hold an oversight hearing to examine the Department of Justice.

SDG–50

Veterans' Affairs

To hold hearings to examine easing the burdens through employment.

SR–418

10 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 510, to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply, and the nominations of David Morris Michaels, of Maryland, to be Assistant Secretary of Labor, and Pamela S. Hyde, of New Mexico, to be Administrator of the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, any pending nominations, and subcommittee assignments.

SD–430

10:15 a.m.

Foreign Relations

To hold hearings to examine the nominations of Mary Burce Warlick, of Virginia, to be Ambassador to the Republic of Serbia, James B. Warlick, Jr., of Virginia, to be Ambassador to the Republic of Bulgaria, and Eleni Tsakopoulos Kounalakis, of California, to be Ambassador to the Republic of Hungary, all of the Department of State.

SD–419

2:30 p.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine accountability for foreign contractors, focusing on the Lieutenant Colonel Dominic "Rocky" Baragona Justice for American Heroes Harmed by Contractors Act.

SD–342

Commerce, Science, and Transportation

To hold hearings to examine the nominations of Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board, Scott Boyer Quehl, of Pennsylvania, to be Assistant Secretary, and to be Chief Financial Officer, and Suresh Kumar, of New Jersey, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, both of the Department of Commerce, Philip E. Coyle, III, of California, to be an Associate Director of the Office of Science and Technology Policy, and Anthony R. Coscia, of New Jersey, and Albert DiClemente, of Delaware, both to be a Director of the Amtrak Board of Directors.

SR–253

Judiciary

To hold hearings to examine the nominations of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit, Rosanna Malouf Peterson, to be United States District Judge for the Eastern District of Washington, William M. Conley, to be United States District Judge for the Western District of Wisconsin, and Susan B. Carbon, of New Hampshire, to be Director of the Violence Against Women Office, and John H. Laub, of the District of Columbia, to be Director of the National Institute of Justice, both of the Department of Justice.

SD–226

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine managing Federal forests in response to climate change, focusing on natural resource adaptation and carbon sequestration.

SD–366

NOVEMBER 19

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of Clifford L. Stanley, of Pennsylvania, to be Under Secretary for Personnel and Readiness, and Erin C. Conaton, of the District of Columbia, to be Under Secretary of the Air Force, both of the Department of Defense, and Lawrence G. Romo, of Texas, to be Director of the Selective Service.

SH–216

10 a.m.

Banking, Housing, and Urban Affairs

Business meeting to consider an original bill entitled "Restoring American Financial Stability Act of 2009".

SR–325

Commerce, Science, and Transportation

Business meeting to consider S. 592, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, S. 850, 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. 1224, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, S. 2764, to reauthorize the Satellite Home Viewer Extension and Reuathorization Act of 2004, and S. 2768, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2010 through 2014.

SR–253

Finance

To hold hearings to examine United States preference programs, focusing on options for reform.

SD–215

Health, Education, Labor, and Pensions

To hold hearings to examine nominations for Commissioner and for General Counsel of the Equal Employment Opportunity Commission.

SD–430

Homeland Security and Governmental Affairs

To hold hearings to examine the Fort Hood Attack, focusing on a preliminary assessment.

SD–342

Judiciary

Business meeting to consider S. 448, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 714, to establish the National Criminal Justice Commission, S. 1624, 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, S. 1147, to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, S. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 1353, to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits, S. 678, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and the nominations of Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Christina Reiss, to be United States District Judge for the District of Vermont, Louis B. Butler, Jr., to be United States District Judge for the Western District of Wisconsin, Abdul K. Kallon, to be United States District Judge for the Northern District of Alabama, Victoria Angelica Espinel, of the District of Columbia, to be Intellectual Property Enforcement Coordinator, and Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy.

SD–226

Joint Economic Committee

To hold hearings to examine financial regulatory reform, focusing on protecting taxpayers and the economy.

210, Cannon Building

10:30 a.m.

Energy and Natural Resources

To hold hearings to examine environmental stewardship policies related to offshore energy production.

SD–366

2:15 p.m.

Indian Affairs

Business meeting to consider pending calendar business; to be immediately followed by an oversight hearing to examine drug smuggling and gang activity in Indian country.

SD–628

2:30 p.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Alan C. Kessler, of Pennsylvania, to be a Governor of the United States Postal Service.

SD–342

Intelligence

To hold closed hearings to consider certain intelligence matters.

S–407, Capitol

3:30 p.m.

Foreign Relations

To hold hearings to examine the nominations of Leslie V. Rowe, of Washington, to be Ambassador to the Republic of Mozambique, Alberto M. Fernandez, of Virginia, to be Ambassador to the Republic of Equatorial Guinea, Mary Jo Wills, of the District of Columbia, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, and Philip S. Goldberg, of the District of Columbia, to be Assistant Secretary for Intelligence and Research, all of the Department of State.

SD–419

NOVEMBER 20

10 a.m.

Finance

To hold hearings to examine the nominations of Mary John Miller, of Maryland, to be Assistant Secretary, and Charles Collyns, of Maryland, to be Deputy Under Secretary, both of the Department of the Treasury.

SD–215

DECEMBER 2

2:30 p.m.

Homeland Security and Governmental Affairs

Disaster Recovery Subcommittee

To hold hearings to examine disaster case management, focusing on developing a comprehensive national program focused on outcomes.

SD–342

DECEMBER 10

10 a.m.

Energy and Natural Resources

To hold hearings to examine the role of grid-scale energy storage in meeting our energy and climate goals.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11359–11392

Measures Introduced: Nine bills were introduced, as follows: S. 2771–2779. **Page S11382**

Measures Passed:

Feed America Day: Committee on the Judiciary was discharged from further consideration of S. Res. 334, designating Thursday, November 19, 2009, as ''Feed America Day'', and the resolution was then agreed to. **Page S11376**

Drive Safer Sunday: Committee on the Judiciary was discharged from further consideration of S. Res. 335, designating November 29, 2009, as ''Drive Safer Sunday'', and the resolution was then agreed to. **Pages S11376–77**

National Reading Education Assistance Dogs Day: Committee on the Judiciary was discharged from further consideration of S. Res. 338, designating November 14, 2009, as ''National Reading Education Assistance Dogs Day'', and the resolution was then agreed to. **Page S11377**

Measures Considered:

Military Construction and Veterans Affairs Appropriations Act—Agreement: Senate resumed consideration of H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, taking action on the following amendments proposed thereto:

Pages S11362–76, S11377–78

Adopted:

By a unanimous vote of 93 yeas (Vote No. 344), Coburn Amendment No. 2757 (to Amendment No. 2730), to require public disclosure of certain reports.

Pages S11362, S11369–71

Menendez Amendment No. 2741 (to Amendment No. 2730), to provide, with an offset, an additional $4,000,000 for grants to assist States in establishing, expanding, or improving State veterans cemeteries.

Pages S11362, S11377

Durbin Amendment No. 2759 (to Amendment No. 2730), to enhance the ability of the Department of Veterans Affairs to recruit and retain health care administrators and providers in underserved rural areas. **Pages S11362, S11377**

Durbin Amendment No. 2760 (to Amendment No. 2730), to designate the North Chicago Veterans Affairs Medical Center, Illinois, as the ''Captain James A. Lovell Federal Health Care Center''.

Pages S11362, S11377

Akaka Amendment No 2740 (to Amendment No. 2730), to extend the authority for a regional office of the Department of Veterans Affairs in the Republic of the Philippines. **Pages S11362, S11377**

Johanns Amendment No. 2752 (to Amendment No. 2730), prohibiting use of funds to fund the Association of Community Organizations for Reform Now (ACORN). **Pages S11362, S11377**

Feingold Amendment No. 2746 (to Amendment No. 2730), to require reporting on alternatives to major construction projects related to the security of strategic nuclear weapons facilities.

Pages S11363–64, S11377

Udall (NM) Modified Amendment No. 2737 (to Amendment No. 2730), to make available from Medical Services, $150,000,000 for homeless veterans comprehensive service programs.

Pages S11362, S11377

Franken/Johnson Modified Amendment No. 2745 (to Amendment No. 2730), to ensure that $5,000,000 is available for a study to assess the feasibility and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities. **Pages S11362, S11377**

Feingold Modified Amendment No. 2747 (to Amendment No. 2730), to make available $5,000,000 to improve outreach and provision of services for mental health and neurological conditions to veterans enrolled in programs of education at institutions of higher education. **Page S11377**

Ensign Modified Amendment No. 2771 (to Amendment No. 2730), to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces.

Page S11377

Johnson Amendment No. 2734 (to Amendment No. 2730), to require a report on bid savings realized from cost and scope variations for military construction projects. **Pages S11377–78**

Johnson (for Warner/Webb) Amendment No. 2738 (to Amendment No. 2730), to provide for a study on transportation improvements to accommodate installation growth associated with the 2005 Defense Base Closure and Realignment (BRAC) program. **Pages S11377–78**

Johnson (for McConnell) Amendment No. 2773 (to Amendment No. 2730), to designate the Department of Veterans Affairs Medical Center in Louisville, Kentucky, as the ''Robley Rex Department of Veterans Affairs Medical Center''. **Pages S11377–78**

Johnson/Hutchison Amendment No. 2753 (to Amendment No. 2730), to make a technical correction requested by the Army in the funding of dining projects at forwarding operating bases in Afghanistan. **Pages S11377–78**

Johnson (for Bingaman/Udall (NM)) Amendment No. 2749 (to Amendment No. 2730), to provide $37,500,000 requested by the Air Force for construction of an Unmanned Aerial System Field Training Complex at Holloman Air Force Base, New Mexico, as authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84), and to provide an offset. **Pages S11377–78**

Johnson (for Cochran) Amendment No. 2751 (to Amendment No. 2730), to make a technical correction for the Air Force at Columbus AFB, Mississippi. **Pages S11377–78**

Johnson (for Burr/Akaka) Amendment No. 2743 (to Amendment No. 2730), to provide, with an offset, an additional $750,000 for homeless veterans comprehensive service programs and housing assistance and supportive services. **Pages S11377–78**

Rejected:

By 24 yeas to 69 nays (Vote No. 345), Coburn motion to commit the bill to the Committee on Appropriations, with instructions. **Page S11371**

Withdrawn:

DeMint Amendment No. 2779 (to Amendment No. 2730), to prohibit the use of funds for the transfer or detention in the United States of detainees at Naval Station Guantanamo Bay, Cuba, if certain veterans programs for fiscal year 2010 are not fully funded. **Pages S11362, S11378**

Johnson (for Durbin) Amendment No. 2781 (to Amendment No. 2779 (to Amendment No. 2730)), to change the enactment date. **Pages S11362–63**

Pending:

Johnson/Hutchison Amendment No. 2730, in the nature of a substitute. **Page S11362**

Johnson Amendment No. 2733 (to Amendment No. 2730), to increase by $50,000,000 the amount available for the Department of Veterans Affairs for minor construction projects for the purpose of converting unused Department of Veterans Affairs structures into housing with supportive services for homeless veterans, and to provide an offset. **Page S11362**

Inouye Amendment No. 2754 (to Amendment No. 2730), to permit $68,500,000, as requested by the Missile Defense Agency of the Department of Defense, to be used for the construction of a test facility to support the Phased Adaptive Approach for missile defense in Europe, with an offset. **Page S11362**

DeMint (for Inhofe) Amendment No. 2774 (to Amendment No. 2730), to prohibit the use of funds appropriated or otherwise made available by this Act to construct or modify a facility in the United States or its territories to permanently or temporarily hold any individual held at Guantanamo Bay, Cuba. **Page S11362**

Feingold/Sanders Amendment No. 2748 (to Amendment 2730), to make available $5,000,000 for grants to community-based organizations and State and local government entities to conduct outreach to veterans in under-served areas. **Pages S11364–69**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Tuesday, November 17, 2009, and that the following list of amendments be the only amendments remaining in order, with no second-degree amendments in order to any listed amendments: Johnson Amendment No. 2733 (to Amendment No. 2730) (listed above); Feingold/Sanders Amendment No. 2748 (to Amendment 2730) (listed above); Cochran Amendment No. 2763; DeMint (for Inhofe) Amendment No. 2774 (to Amendment No. 2730) (listed above); Inouye Amendment No. 2754 (to Amendment No. 2730) (listed above); and McCain Amendment No. 2776; that the previous order regarding a managers amendment remain in effect; that the vote with respect to DeMint (for Inhofe) Amendment No. 2774 (to Amendment No. 2730) occur when Senate resumes consideration of the bill at 2:15 p.m.; and that upon disposition of the amendment, the provisions of the previous order with respect to disposition of the substitute and passage of the bill remain in effect; that there be two minutes of debate prior to each vote, except that prior to the vote on DeMint (for Inhofe) Amendment No. 2774 (to Amendment No. 2730), there be five minutes of debate, with all debate time, equally divided and controlled in the usual form, with any other relevant provisions of the order of November 10, 2009 in effect. **Page S11378**

Appointments:

Appointments—Agreement: A unanimous-consent agreement was reached providing that the appointments with respect to the United States-China Economic Security Review Commission made on Tuesday, November 10, 2009, be vitiated. **Page S11377**

A unanimous-consent agreement was reached providing that the following appointments be considered to have been made on Tuesday, November 10, 2009:

United States-China Economic Security Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Majority Leader, in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individuals to the United States-China Economic Security Review Commission: Patrick A. Mulloy of Virginia, for a term beginning January 1, 2010 and expiring December 31, 2011, and William A. Reinsch of Maryland, for a term beginning January 1, 2010 and expiring December 31, 2011. **Page S11377**

Hamilton Nomination—Agreement: A unanimous-consent agreement was reached providing that on Tuesday, November 17, 2009, following the disposition of H.R. 3082, Military Construction and Veterans Affairs Appropriations Act, the order of Tuesday, November 10, 2009, with respect to the nomination of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit, be executed. **Page S11378**

Nominations Received: Senate received the following nominations:

Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank for a term of five years.

Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency.

Routine lists in the Army, Coast Guard, and Navy. **Pages S11390–92**

Nomination Discharged: The following nomination were discharged from further committee consideration and placed on the Executive Calendar:

Paul K. Martin, of Maryland, to be Inspector General, National Aeronautics and Space Administration, which was sent to the Senate on October 1, 2009, from the Senate Committee on Homeland Security and Governmental Affairs. **Page S11392**

Measures Placed on the Calendar: **Page S11382**

Additional Cosponsors: **Pages S11382–84**

Statements on Introduced Bills/Resolutions: **Pages S11384–89**

Additional Statements: **Pages S11380–82**

Amendments Submitted: **Pages S11389–90**

Notices of Hearings/Meetings: **Page S11390**

Record Votes: Two record votes were taken today. (Total—345) **Page S11371**

Adjournment: Senate convened at 2 p.m. and adjourned at 8:19 p.m., until 10 a.m. on Tuesday, November 17, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11390.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 4068–4082 ; and 4 resolutions, H. Res. 904–907 were introduced. **Page H13001**

Additional Cosponsors: **Pages H13001–03**

Reports Filed: Reports were filed on November 7, 2009 as follows:

H.R. 3618, to provide for implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (H. Rept. 111–331, Pt. 1);

H.R. 3360, to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels (H. Rept. 111–332); and

H.R. 3791, to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, with an amendment (H. Rept. 111–333, Pt. 1).

Reports were filed today as follows:

H.R. 86, to eliminate an unused lighthouse reservation, provide management consistency by bringing the rocks and small islands along the coast of Orange County, California, and meet the original Congressional intent of preserving Orange County's rocks and small islands, with an amendment (H. Rept. 111–334);

H.R. 118, to authorize the addition of 100 acres to Morristown National Historical Park, with an amendment (H. Rept. 111–335);

H.R. 2781, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, with an amendment (H. Rept. 111–336);

H.R. 2888, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon and to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild or recreation rivers, with an amendment (H. Rept. 111–337); and

H. Res. 841, expressing support for designation of November 29, 2009, as "Drive Safer Sunday" (H. Rept. 111–338). **Pages H13000–01**

Speaker: Read a letter from the Speaker wherein she appointed Representative Connolly (VA) to act as Speaker Pro Tempore for today. **Page H12973**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10:30 a.m. tomorrow, November 17th, for morning hour debate. **Page H12974**

Suspensions: The House agreed to suspend the rules and pass the following measures:

W. Hazen Hillyard Post Office Building Designation Act: H.R. 3767, to designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the "W. Hazen Hillyard Post Office Building", by a ⅔ recorded vote of 368 ayes with none voting "no", Roll No. 891; **Pages H12974–75, H12980–81**

Extending the authority for relocation expenses test programs for Federal employees: S. 1825, to extend the authority for relocation expenses test programs for Federal employees; **Pages H12975–76**

Patricia D. McGinty-Juhl Post Office Building Designation Act: H.R. 3539, to designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the "Patricia D. McGinty-Juhl Post Office Building", by a ⅔ yea-and-nay vote of 367 yeas with none voting "nay", Roll No. 890; **Pages H12976–77, 12980**

Providing that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances: H.R. 1506, to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances; and **Pages H12977–78**

Dr. Martin Luther King, Jr. Post Office Designation Act: S. 1314, to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr. Post Office", by a ⅔ yea-and-nay vote of 373 yeas with none voting "nay", Roll No. 889. **Pages H12978–80**

Recess: The House recessed at 2:43 p.m. and reconvened at 6:30 p.m. **Page H12979**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on page H12973.

Senate Referrals: S. 806 was referred to the Committee on Oversight and Government Reform, S. 1860 was referred to the Committee on House Administration, and S. 1422 was held at the desk. **Page H13000**

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H12979–80, H12980, H12980–81. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:05 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1316)*

S. 475, to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency. Signed on November 11, 2009. (Public Law 111–97)

S. 509, to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington. Signed on November 11, 2009. (Public Law 111–98)

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 17, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine reauthorization of the United States child nutrition programs, focusing on opportunities to fight hunger and improve child health, 10:30 a.m., SD–562.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine protecting consumers from overdraft fees, focusing on the Fairness and Accountability in Receiving Overdraft Coverage Act, 3 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine aggressive sales tactics on the Internet and their impact on American consumers, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the international aspects of global climate change, 10 a.m., SD–366.

Committee on Foreign Relations: Subcommittee on African Affairs, to hold hearings to examine United States counterterrorism priorities and strategy across Africa's Sahel region, 10:30 a.m., SD–419.

Full Committee, business meeting to consider S. 1524, to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, S. 2727, to provide for continued application of arrangements under the Protocol on Inspections and Continuous Monitoring Activities Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms in the period following the Protocol's termination on December 5, 2009, S. 1739, to promote freedom of the press around the world, S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, S. Res. 341, supporting peace, security, and innocent civilians affected by conflict in Yemen, S. Res. 345, deploring the rape and assault of women in Guinea and the killing of political protesters, H. Con. Res. 36, calling on the President and the allies of the United States to raise in all appropriate bilateral and multilateral fora the case of Robert Levinson at every opportunity, urging Iran to fulfill their promises of assistance to the family of Robert Levinson, and calling on Iran to share the results of its investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation, Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague on November 23, 2007, and signed by the United States on that same date (Treaty Doc.110–21), Protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 21, 1994, as Amended by the Protocol signed on December 8, 2004, signed January 13, 2009, at Paris, together with a related Memorandum of Understanding, signed January 13, 2009 (Treaty Doc.111–04), the nominations of Jose W. Fernandez, of New York, to be Assistant Secretary for Economic, Energy, and Business Affairs, William E. Kennard, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador, John F. Tefft, of Virginia, to be Ambassador to Ukraine, Michael C. Polt, of Tennessee, to be Ambassador to the Republic of Estonia, Cynthia Stroum, of Washington, to be Ambassador to Luxembourg, David Huebner, of California, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to Samoa, Robert R. King, of Virginia, to be Special Envoy on North Korean Human Rights Issues, with the rank of Ambassador, Peter Alan Prahar, of Virginia, to be Ambassador to the Federated States of Micronesia, 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, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative on the Economic and Social Council of the United Nations, and 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, all of the Department of State, James LaGarde Hudson, of the District of Columbia, to be United States Director of the European Bank for Reconstruction and Development, and any pending calendar business, 2:15 p.m., S–116, Capitol.

Full Committee, to hold hearings to examine the United States and the G–20, focusing on remaking the international economic architecture, 3 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine H1N1 flu, focusing on getting the vaccine to where it is needed most, 2:30 p.m., SD–342.

Committee on the Judiciary: Subcommittee on Terrorism and Homeland Security, to hold hearings to examine cybersecurity, focusing on preventing terrorist attacks and protecting privacy in cyberspace, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

Joint Meetings

Joint Economic Committee: November 19, to hold hearings to examine financial regulatory reform, focusing on protecting taxpayers and the economy, 10 a.m., 210, Cannon Building.

CONGRESSIONAL PROGRAM AHEAD

Week of November 17 through November 21, 2009

Senate Chamber

On *Tuesday,* at approximately 11 a.m., Senate will continue consideration of H.R. 3082, Military Construction and Veterans Affairs Appropriations Act, vote on or in relation to certain amendments, and passage of the bill; following which, Senate will resume consideration of the nomination of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit, and after a period of debate, vote on the motion to invoke cloture thereon.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: November 17, to hold hearings to examine reauthorization of the United States child nutrition programs, focusing on opportunities to fight hunger and improve child health, 10:30 a.m., SD–562.

November 18, Full Committee, to hold hearings to examine reforming the United States financial market regulation; to be immediately followed by a hearing to examine the nomination of Jill Long Thompson, of Indiana, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, 9:30 a.m., SD–106.

Committee on Armed Services: November 19, to hold hearings to examine the nominations of Clifford L. Stanley, of Pennsylvania, to be Under Secretary for Personnel and Readiness, and Erin C. Conaton, of the District of Columbia, to be Under Secretary of the Air Force, both of the Department of Defense, and Lawrence G. Romo, of Texas, to be Director of the Selective Service, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: November 17, to hold hearings to examine protecting consumers from overdraft fees, focusing on the Fairness and Accountability in Receiving Overdraft Coverage Act, 3 p.m., SD–538.

November 19, Full Committee, business meeting to consider an original bill entitled ''Restoring American Financial Stability Act of 2009'', 10 a.m., SR–325.

Committee on Commerce, Science, and Transportation: November 17, to hold hearings to examine aggressive sales tactics on the Internet and their impact on American consumers, 2:30 p.m., SR–253.

November 18, Full Committee, to hold hearings to examine the nominations of Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board, Scott Boyer Quehl, of Pennsylvania, to be Assistant Secretary, and to be Chief Financial Officer, and Suresh Kumar, of New Jersey, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, both of the Department of Commerce, Philip E. Coyle, III, of California, to be an Associate Director of the Office of Science and Technology Policy, and Anthony R. Coscia, of New Jersey, and Albert DiClemente, of Delaware, both to be a Director of the Amtrak Board of Directors, 2:30 p.m., SR–253.

November 19, Full Committee, business meeting to consider S. 592, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, S. 850, 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. 1224, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, S. 2764, to reauthorize the Satellite Home Viewer Extension and Reuathorization Act of 2004, and S. 2768, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2010 through 2014, 10 a.m., SR–253.

Committee on Energy and Natural Resources: November 17, to hold hearings to examine the international aspects of global climate change, 10 a.m., SD–366.

November 18, Subcommittee on Public Lands and Forests, to hold hearings to examine managing Federal forests in response to climate change, focusing on natural resource adaptation and carbon sequestration, 2:30 p.m., SD–366.

November 19, Full Committee, to hold hearings to examine environmental stewardship policies related to offshore energy production, 10:30 a.m., SD–366.

Committee on Environment and Public Works: November 18, business meeting to consider an original bill entitled ''Economic Development Revitalization Act of 2009'', 9:30 a.m., SD–406.

Committee on Finance: November 19, to hold hearings to examine United States preference programs, focusing on options for reform, 10 a.m., SD–215.

November 20, Full Committee, to hold hearings to examine the nominations of Mary John Miller, of Maryland, to be Assistant Secretary, and Charles Collyns, of Maryland, to be Deputy Under Secretary, both of the Department of the Treasury, 10 a.m., SD–215.

Committee on Foreign Relations: November 17, Subcommittee on African Affairs, to hold hearings to examine United States counterterrorism priorities and strategy across Africa's Sahel region, 10:30 a.m., SD–419.

November 17, Full Committee, business meeting to consider S. 1524, to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, S. 2727, to provide for continued application of arrangements under the Protocol

on Inspections and Continuous Monitoring Activities Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms in the period following the Protocol's termination on December 5, 2009, S. 1739, to promote freedom of the press around the world, S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, S. Res. 341, supporting peace, security, and innocent civilians affected by conflict in Yemen, S. Res. 345, deploring the rape and assault of women in Guinea and the killing of political protesters, H. Con. Res. 36, calling on the President and the allies of the United States to raise in all appropriate bilateral and multilateral fora the case of Robert Levinson at every opportunity, urging Iran to fulfill their promises of assistance to the family of Robert Levinson, and calling on Iran to share the results of its investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation, Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague on November 23, 2007, and signed by the United States on that same date (Treaty Doc. 110–21), Protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 21, 1994, as Amended by the Protocol signed on December 8, 2004, signed January 13, 2009, at Paris, together with a related Memorandum of Understanding, signed January 13, 2009 (Treaty Doc. 111–04), the nominations of Jose W. Fernandez, of New York, to be Assistant Secretary for Economic, Energy, and Business Affairs, William E. Kennard, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador, John F. Tefft, of Virginia, to be Ambassador to Ukraine, Michael C. Polt, of Tennessee, to be Ambassador to the Republic of Estonia, Cynthia Stroum, of Washington, to be Ambassador to Luxembourg, David Huebner, of California, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to Samoa, Robert R. King, of Virginia, to be Special Envoy on North Korean Human Rights Issues, with the rank of Ambassador, Peter Alan Prahar, of Virginia, to be Ambassador to the Federated States of Micronesia, 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, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative on the Economic and Social Council of the United Nations, and 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, all of the Department of State, James LaGarde Hudson, of the District of Columbia, to be United States Director of the European Bank for Reconstruction and Development, and any pending calendar business, 2:15 p.m., S–116, Capitol.

November 17, Full Committee, to hold hearings to examine the United States and the G–20, focusing on remaking the international economic architecture, 3 p.m., SD–419.

November 18, Full Committee, to hold hearings to examine the nominations of Mary Burce Warlick, of Virginia, to be Ambassador to the Republic of Serbia, James B. Warlick, Jr., of Virginia, to be Ambassador to the Republic of Bulgaria, and Eleni Tsakopoulos Kounalakis, of California, to be Ambassador to the Republic of Hungary, all of the Department of State, 10:15 a.m., SD–419.

November 19, Full Committee, to hold hearings to examine the nominations of Leslie V. Rowe, of Washington, to be Ambassador to the Republic of Mozambique, Alberto M. Fernandez, of Virginia, to be Ambassador to the Republic of Equatorial Guinea, Mary Jo Wills, of the District of Columbia, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, and Philip S. Goldberg, of the District of Columbia, to be Assistant Secretary for Intelligence and Research, all of the Department of State, 3:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: November 18, business meeting to consider S. 510, to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply, and the nominations of David Morris Michaels, of Maryland, to be Assistant Secretary of Labor, and Pamela S. Hyde, of New Mexico, to be Administrator of the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, any pending nominations, and subcommittee assignments, 10 a.m., SD–430.

November 19, Full Committee, to hold hearings to examine nominations for Commissioner and for General Counsel of the Equal Employment Opportunity Commission, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: November 17, to hold hearings to examine H1N1 flu, focusing on getting the vaccine to where it is needed most, 2:30 p.m., SD–342.

November 18, Full Committee, business meeting to consider the nomination of Daniel I. Gordon, of the District of Columbia, to be Administrator for Federal Procurement Policy, Time to be announced, S–216, Capitol.

November 18, Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine accountability for foreign contractors, focusing on the Lieutenant Colonel Dominic 'Rocky' Baragona Justice for American Heroes Harmed by Contractors Act, 2:30 p.m., SD–342.

November 19, Full Committee, to hold hearings to examine the Fort Hood Attack, focusing on a preliminary assessment, 10 a.m., SD–342.

November 19, Full Committee, to hold hearings to examine the nomination of Alan C. Kessler, of Pennsylvania, to be a Governor of the United States Postal Service, 2:30 p.m., SD–342.

Committee on Indian Affairs: November 19, business meeting to consider pending calendar business; to be immediately followed by an oversight hearing to examine drug smuggling and gang activity in Indian country, 2:15 p.m., SD–628.

Committee on the Judiciary: November 17, Subcommittee on Terrorism and Homeland Security, to hold hearings to examine cybersecurity, focusing on preventing terrorist attacks and protecting privacy in cyberspace, 10 a.m., SD–226.

November 18, Full Committee, to hold an oversight hearing to examine the Department of Justice, 9:30 a.m., SDG–50.

November 18, Full Committee, to hold hearings to examine the nominations of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit, Rosanna Malouf Peterson, to be United States District Judge for the Eastern District of Washington, William M. Conley, to be United States District Judge for the Western District of Wisconsin, and Susan B. Carbon, of New Hampshire, to be Director of the Violence Against Women Office, and John H. Laub, of the District of Columbia, to be Director of the National Institute of Justice, both of the Department of Justice, 2:30 p.m., SD–226.

November 19, Full Committee, business meeting to consider S. 448, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 714, to establish the National Criminal Justice Commission, S. 1624, 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, S. 1147, to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, S. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 1353, to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits, S. 678, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and the nominations of Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Christina Reiss, to be United States District Judge for the District of Vermont, Louis B. Butler, Jr., to be United States District Judge for the Western District of Wisconsin, Abdul K. Kallon, to be United States District Judge for the Northern District of Alabama, Victoria Angelica Espinel, of the District of Columbia, to be Intellectual Property Enforcement Coordinator, and Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy, 10 a.m., SD–226.

Committee on Veterans' Affairs: November 18, to hold hearings to examine easing the burdens through employment, 9:30 a.m., SR–418.

Select Committee on Intelligence: November 17, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

November 19, Full Committee, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

House Committees

Committee on Agriculture, November 17, hearing to review the Financial Stability Improvement Act discussion draft, 11 a.m., 1300 Longworth.

November 19, Subcommittee on Rural Development, Biotechnology, Specialty Crops, and Foreign Agriculture, to review rural broadband programs funded by the American Recovery and Reinvestment Act, 11 a.m., 1300 Longworth.

Committee on Appropriations, November 19, Subcommittee on Homeland Security, hearing on Confronting the Cartels: Addressing U.S.-Mexican Border Security, 2 p.m., 2359 Rayburn.

Committee on Armed Services, November 17, Subcommittee on Oversight and Investigations, to continue hearings on Afghanistan and Iraq: Perspectives on U.S. Strategy, Part III, 2 p.m., 210 HVC.

November 18, full Committee, hearing on Resourcing the National Defense Strategy: Implications of Long Term Budget Trends, 10 a.m., 210 HVC.

Committee on the Budget, November 17, hearing on Building an Executive-Legislative Partnership for Performance Budgeting, 10 a.m., 210 Cannon.

Committee on Education and Labor, November 17, hearing on Protecting Employees, Employers and the Public: H1N1 and Sick Leave Policies, 10 a.m., 2175 Rayburn.

November 19, Subcommittee on Early Childhood, Elementary and Secondary Education, hearing on Improving the Literacy Skills of Children and Young Adults, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, November 17, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on Prioritizing Chemicals for Safety Determination, 11 a.m., 2322 Rayburn.

November 17, Subcommittee on Communications, Technology and the Internet, hearing on a discussion draft of the Universal Service Reform Act of 2009, 9:30 a.m., 2123 Rayburn.

November 18, Subcommittee on Health and the Subcommittee on Oversight and Investigations, joint hearing on H1N1 Preparedness: An Overview of Vaccine Production and Distribution, 10 a.m., 2123 Rayburn.

November 19, Subcommittee on Commerce, Trade, and Consumer Protection and the Subcommittee on Communications, Technology and the Internet, joint hearing on Exploring the Offline and Online Collection and Use of Consumer Information, 10 a.m., 2123 Rayburn.

Committee on Financial Services, November 17, to continue consideration of the Committee Print of the Financial Stability Improvement Act of 2009, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, November 18, Subcommittee on Terrorism, Nonproliferation and Trade, hearing on Flag on the Bag?: Foreign Assistance and the Struggle Against Terrorism, 2 p.m., 2172 Rayburn.

November 19, full Committee, hearing on Is it Time to Lift the Ban on Travel to Cuba? 10 a.m., 2172 Rayburn.

November 19, Subcommittee on the Middle East and South Asia, hearing on the State of Political and Religious Freedom in the Middle East, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, November 17, to mark up the following measures: H.R. 1517, To allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service; H.R. 2611, To amend the Homeland Security Act of 2002 to authorize the Securing the Cities Initiative of the Department of Homeland Security, and for other purposes; H.R. 3239, To require the Secretary of Homeland Security, in consultation with the Secretary of State, to submit a report on the effects of the Merida Initiative on the border security of the United States, and for other purposes; H.R. 3837, Strengthening and Updating Resources and Equipment Act; H.R. 3963, Criminal Investigative Training Restoration Act; H.R. 3978, First Responder Anti-Terrorism Training Resources Act; H.R. 3980, Redundancy Elimination and Enhanced Performance for Preparedness Grants Act; and H. Res. 28, Expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines, 2 p.m., 311 Cannon.

November 18, hearing entitled "Federal Protective Service: Will Continuing Challenges Weaken Transition and Impede Progress? " 10 a.m., 311 Cannon.

November 18, Subcommittee on Transportation Security and Infrastructure Protection, hearing entitled " Is the Flying Public Protected? An Assessment of Security at Foreign Repair Stations," 2 p.m., 311 Cannon.

November 19, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment hearing entitled "Reassessing the Evolving al-Qa'ida Threat to the Homeland," 10 a.m., 311 Cannon.

Committee on the Judiciary, November 17 and 18, Task Force on Judicial Impeachment, to consider possible impeachment of U.S. District Judge G. Thomas Porteous, Jr., 10:30 a.m., on November 17, and 10 a.m., on November 18, 2141 Rayburn.

November 17, Subcommittee on Courts and Competition Policy, hearing on Too Big to Fail: The Role for Bankruptcy, and Antitrust Law in Financial Regulation Reform, Part II, 1 p.m., 2237 Rayburn.

November 19, Subcommittee on Commercial and Administrative Law, hearing on Transparency and Integrity in Corporate Monitoring, 11 a.m., 2141 Rayburn.

Committee on Natural Resources, November 17, Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 2889, Oregon Caves National Monument Boundary Adjustment Act of 2009; H.R. 3339, FLTFA Reauthorization Act of 2009; H.R. 3444, Pinnacles National Park Act; H.R. 3538, Idaho Wilderness Water Resources Protection Act; and H.R. 3726, Castle Nugent National Historic Site Establishment Act of 2009, 2 p.m., 1324 Longworth.

November 18, full Committee, to mark up the following bills: H.R. 1672, Northwest Straits Marine Conservation Initiative Reauthorization Act of 2009; H.R. 2062, Migratory Bird Treaty Act Penalty and Enforcement Act of 2009; H.R. 3644, Bay-Watershed Education and Training (B–WET) Regional Program and National Environmental Literacy Grant Program Act; H.R. 3940, To authorize the Secretary of the Interior to extend grants and other assistance to facilitate a political status public education program for the people of Guam; H.R. 2288, Endangered Fish Recovery Programs Improvement Act of 2009; H.R. 3603, To rename the Ocmulgee National Monument; H.R. 3759, BLM Contract Extension Act; H.R. 3804, National Park Service Authorities and Corrections Act of 2009; and H.R. 3388, Petersburg National Battlefield Boundary Modification Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, November 17, and the Subcommittee on Domestic Policy, to continue joint hearings entitled "Bank of America and Merrill Lynch: How did a Private Deal Turn Into a Federal Bailout? Part IV, " 10 a.m., 2154 Rayburn.

November 18, full Committee, to mark up the following measures: H.R. 2517, Domestic Partnership Benefits and Obligations Act of 2009; H.R. 3892, To designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.C. Wilkins Post Office;" H.R. 3951, To designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr., Post Office Building;" and H.R. 4017, To designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office;" 2 p.m., 2154 Rayburn.

November 18, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled "Greater Autonomy for the Nation's Capital," with discussion of the following bills: H.R. 960, District of Columbia Legislative Autonomy Act of 2009; and H.R. 1045, District of Columbia Budget Autonomy Act of 2009, 10 a.m., 2154 Rayburn.

November 19, full Committee, hearing entitled "Tracking the Money: How Recovery Act Recipients Account for the Use of Stimulus Dollars,"10 a.m., 2154 Rayburn.

November 19, Subcommittee on National Security and Foreign Affairs, hearing entitled ''Afghan Elections: What Happened and Where Do We Go From Here?'' 2 p.m., 2154 Rayburn.

Committee on Rules, November 17, to consider the following bills: H.R. 3791, Fire Grants Reauthorization Act of 2009; and H.R. 2781, To amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes, 3 p.m., H–313 Capitol.

Committee on Science and Technology, November 17, Subcommittee on Investigations and Oversight, to continue hearings on The Science of Security Part II; Technical Problems Continue to Hinder Advanced Radiation Monitors, 1 p.m., 2318 Rayburn.

November 18, full Committee, to mark up H.R. 4061, Cybersecurity Enhancement Act of 2009, 10 a.m., 2318 Rayburn.

November 19, Subcommittee on Space and Aeronautics, hearing on the Growth of Global Space Capabilities: What's Happening and Why It Matters, 10 a.m., 2318 Rayburn.

November 19, Subcommittee on Technology and Innovation, hearing on the Research and Development Portfolio to Support the Priorities of the Department of Transportation, 10 a.m., 2325 Rayburn.

Committee on Small Business, November 19, hearing entitled ''Oversight of the Small Business Administration and Its Programs,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, November 18, Subcommittee on Water Resources and Environment, hearing on Proposals for a Water Resources Development Act of 2010, 2167 Rayburn.

November 19, full Committee, to mark up H.R. 4016, Hazardous Material Transportation Safety Act of 2009, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, November 18, Subcommittee on Disability Assistance and Memorial Affairs, to mark up a draft bill, and to consider pending business, 10 a.m., 334 Cannon.

November 19, Subcommittee on Economic Opportunity, hearing on Adaptive Housing Grants, 1 p.m., 334 Cannon.

November 19, Subcommittee on Health, hearing to review VA Contract Health Care: Project HERO, 10 a.m., 334 Cannon.

Committee on Ways and Means, November 17, Subcommittee on Trade, hearing on the Operation, Impact and Future of the U.S. Preference Programs, 10 a.m., 1100 Longworth.

November 19, Subcommittee on Oversight, and the Subcommittee on Income Security and Family Support, joint hearing to review the effect of the economic downturn and increased unemployment on the demand for hunger-relief assistance at food banks and other charities, 10 a.m., 1100 Longworth.

November 19, Subcommittee on Social Security, hearing on Clearing the Disability Claims Backlogs: The Social Security Administration's Progress and New Challenges Arising From the Recession, 1:30 p.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, November 17, executive, briefing on Significant Activities, 12 p.m., 304 HVC.

November 18, executive, briefing on Guantanamo Update, 4 p.m., 304 HVC.

November 19, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Afghanistan/Pakistan, 10 a.m., 304 HVC.

Next Meeting of the SENATE

10 a.m., Tuesday, November 17

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 3082, Military Construction and Veterans Affairs Appropriations Act, vote on or in relation to certain amendments, and passage of the bill; following which, Senate will resume consideration of the nomination of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit, and after a period of debate, vote on the motion to invoke cloture thereon.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, November 17

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 3618—Clean Hull Act; (2) H. Res. 841—Expressing support for designation of November 29, 2009, as "Drive Safer Sunday"; (3) H.R. 3360—Cruise Vessel Security and Safety Act; (4) H. Res. 891—Expressing the gratitude of the House of Representatives for the service to our Nation of the Coast Guard and Marine Corps aircraft pilots and crewmembers lost off the coast of California on October 29, 2009; (5) H.R. 3305—The "H. Dale Cook Federal Building and United States Courthouse" Designation Act; (6) S. 1599—A bill to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions; (7) H. Res. 851—Recognizing the 40th anniversary of SEARCH; (8) H.R. 1839—To amend the Small Business Act to improve SCORE; (9) H.R. 3014—Small Business Health Information Technology Financing Act; (10) H.R. 1834—Native American Business Development Enhancement Act; (11) H.R. 1842—Expanding Entrepreneurship Act; and (12) H.R. 3738—Small Business Early-Stage Investment Act.

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