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House of Representatives

The House was not in session today. Its next meeting will be held on Saturday, December 19, 2009, at 6 p.m.

Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, from whom all noble desires and all good counsels do proceed, crown the deliberations of our lawmakers with spacious thinking and with sympathy for all humanity. As they face perplexing questions, quicken in them every noble impulse, transforming their work into a throne of service. Lord, shower them with Your blessings, enabling them to see and experience evidences of Your love. May their consistent communication with You radiate in their faces, be expressed in their character, and be exuded in positive joy. Sanctify this day of labor with the benediction of Your approval.

We pray in Your great Name. Amen.

NOTICE

If the 111th Congress, 1st Session, adjourns sine die on or before December 23, 2009, a final issue of the *Congressional Record* for the 111th Congress, 1st Session, will be published on Thursday, December 31, 2009, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2009, and will be delivered on Monday, January 4, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–59.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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, December 17, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND 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. Madam President, following leader remarks, the Senate will resume consideration of the motion to concur with respect to H.R. 3326, the Defense Appropriations Act. The first hour will be equally divided and controlled between the two leaders or their designees. The Republicans will control the first 30 minutes and the majority will control the next 30 minutes. I filed cloture on the motion to concur. That vote will occur sometime in the next 10 or 12 hours.

PASSAGE OF CRITICAL LEGISLATION

Mr. REID. Madam President, we are going to finish this health care bill before we leave for the holidays.

For nearly an entire year, we have reached out to the other side, offered Republicans a seat at the table, tried to negotiate in good faith—nearly a whole year. Now we are closer than ever to fixing a badly broken system and doing more to make sure every American can afford to live a healthier life than this country has done in decades.

The Republicans have made their point. Through obstruction manuals, admissions that they believe stalling is good for electoral politics, and gambits like the one we saw yesterday; that is, forcing the full, hours-long reading of an amendment they did not like, and then complaining when that amendment they did not like was withdrawn, they have made their point to the American people. They have made it perfectly clear they have no interest in cooperating or legislating.

But the families and businesses who are suffering, hurting, and dying every single day have no time for these kinds of games. That is why we are going to finish health care whether the other side cooperates or not.

But health care is not the only critical issue this body faces. It is not the only critical issue to this country or before this body. Right now we have to complete a bill that supports the fighting men and women of this country, whether they are in Iraq, Afghanistan, Korea, Japan—all those many bases where tens of thousands of people are stationed. It is as simple as that.

Here are some of the good things in the bill that is now before the Senate, the message from the House. It funds more than $100 billion for operations, maintenance, and military personnel requirements for the wars in Iraq and Afghanistan. Part of that money will also support preparations to continue withdrawal from Iraq. There is more than $23 billion for the equipment used by our servicemembers in Iraq and Afghanistan to do their jobs and stay safe. There is more than $150 billion to train our troops and prepare them for battle. There is more than $30 billion for the health care of our servicemembers, their families, and their children. It also gives our brave and valiant troops a pay raise of 3.4 percent this year.

This is not a partisan issue. Yesterday, this bill passed the House 395 to 34. More than 90 percent of Democrats voted for this bill. More than 90 percent of Republicans in the House of Representatives voted for this bill. That is because they know to our fighting men and women—these brave Americans half a world away, a lot of them—who wage two wars on our behalf, it is immaterial whether the leaders who will give them all the resources they need to succeed are progressives or conservatives. Surely, our troops who are on deployment after deployment after deployment spend more time counting the days until they can see their loved ones again than they do counting the political points scored by either side. They do not care most of the time, Madam President. They just do their jobs.

The House proved as much yesterday. The Senate should do the same today. We received this bill yesterday at 2 p.m. Are we going to wait until tomorrow to pass it? This simply is not right. Let's give our troops what they need to succeed, and do it now. Then let's get back to giving all Americans what they need to stay healthy.

These two bills—these two pieces of legislation—are about life and death. Our responsibility is too great to waste time playing political games.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE REFORM

Mr. MCCONNELL. Madam President, Senators on both sides acknowledge that the health care bill we are considering is among the most significant pieces of legislation any of us will ever consider—I think, I would argue, the most significant piece of legislation certainly in my time here. So it stands to reason we would devote significant time and attention to it.

Indeed, some would argue we should spend more time and attention on this bill than most—if not every—previous bills we have considered.

The majority, obviously, disagrees. Why? Because this bill has become a political nightmare—a literal political nightmare to them—as evidenced by more and more public opinion polls, including the Wall Street Journal/NBC poll out this morning. They know Americans are overwhelmingly opposed to it, so they want to get it over with as quickly as possible.

Americans are already outraged at the fact that Democratic leaders took their eyes off the ball, rushing the process on a partisan line that makes the situation even worse.

Americans were told the purpose of reform was to reduce the cost of health care. Instead, Democratic leaders produced a $2.5 trillion, 2,074-page monstrosity that vastly expands government, raises taxes, raises premiums, and wrecks Medicare. And they want to rush this bill through by Christmas? They want to rush this bill through by Christmas that does all of these destructive things. One of the most significant, far-reaching pieces of legislation in U.S. history, and they want to rush it.

Here is the most outrageous part. At the end of this rush, they want us to vote on a bill that no one outside the majority leader's conference room has seen yet. No one has seen it. That is right. The final bill we vote on is not even the one we have had on the floor of the Senate. It is the deal Democratic leaders have been trying to work out in private. That is what they intend to bring to the Senate floor and force a vote on before Christmas.

So this entire process is essentially a charade. But let's just compare the process so far with previous legislation for a little perspective.

Here is a snapshot of what we have done and where we stand on this bill.

The majority leader intends to bring this debate to a close as early as this weekend—4 days from now—on this $2.5 trillion mistake. No American who has not been invited into the majority leader's conference room knows what will be in the bill.

The bill has been the pending business of the Senate since last November—less than 4 weeks ago—but we

have actually only started the amendment process 2 weeks ago—just 2 weeks ago on the amendment process.

We have had 21 amendments and motions—less than 2 a day.

So let's look at how the Senate has dealt with previous legislation, arguably of lesser consequence than this one.

No Child Left Behind in 2001: 21 session days over 7 weeks, 44 rollcall votes, 157 amendments offered.

The 9/11 Commission/Homeland Security Act in 2002: 19 session days over 7 weeks, 20 rollcall votes, 30 amendments offered.

The Energy bill in 2002: 21 session days over 8 weeks, 36 rollcall votes, 158 amendments offered.

Now, Madam President, this is not an energy bill. This is an attempt by the majority to take over one-sixth of the U.S. economy—to vastly expand the reach and role of government into the health care decisions of every single American—and they want it to be done after one substantive amendment—one large, substantive amendment. This is absolutely inexcusable.

I think Senator SNOWE put it best on Tuesday. This is what she had to say Tuesday of this week. ''Given the enormity and complexity,'' Senator SNOWE said, ''I don't see anything magical about the Christmas deadline if this bill is going to become law in 2014.''

And I think Senator SNOWE's comments on a lack of bipartisanship at the outset of this debate are also right on point. Here is what Senator SNOWE said in November of this year—late November:

> I am truly disappointed we are commencing our historic debate on one of the most significant and pressing domestic issues of our time with a process that has forestalled our ability to arrive at broader agreement on some of the most crucial elements of health care reform. The bottom line is, the most consequential health care legislation in the history of our country and the reordering of $33 trillion in health care spending over the coming decade shouldn't be determined by one vote-margin strategies—surely—

Surely—

> we can and must do better.

Well, Senator SNOWE is entirely correct.

The only conceivable justification for rushing this bill is the overwhelming—overwhelming—opposition of the American people. Democrats know the longer Americans see this bill, the less they like it.

Here is the latest from Pew; it came out just yesterday. A majority—58 percent—of those who have heard a lot about the bill oppose it, while only 32 percent favor it.

There is no justification for this blind rush, except a political one, and that is not good enough for the American people, and that is not justification for forcing the Senate to vote on a bill that none of us have seen.

Americans already oppose the bill. The process is just as bad. It is completely reckless and completely irresponsible.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message with respect to H.R. 3326, which the clerk will report.

The legislative clerk read as follows:

> House message to accompany H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

> Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill.
>
> Reid motion to concur in the amendment of the House to the amendment of the Senate with amendment No. 3248 (to the House amendment to the Senate amendment), to change the enactment date.
>
> Reid motion to refer the amendment of the House to the Committee on Appropriations, with instructions, Reid amendment No. 3249, to provide for a study.
>
> Reid amendment No. 3252 (to Reid amendment No. 3248), to change the enactment date.
>
> Reid amendment No. 3250 (to amendment No. 3249), of a perfecting nature.
>
> Reid amendment No. 3251 (to amendment No. 3250), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, Senators are permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I ask unanimous consent that the Senator from Tennessee lead a colloquy including the Senator from Oklahoma, the Senator from Wyoming, myself, and the Senator from Kentucky.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I thank the Senator from Arizona.

I was thinking as I listened to the Republican leader, I wonder if the Senator noticed the comments of the Governor of California on Monday. Governor Schwarzenegger said on ''Good Morning America'' that he supports the idea of overhauling health care, but: ''the last thing we need,'' said Governor Schwarzenegger, ''is another $3 billion in spending when we already have a $20 million deficit.''

He was referring to one of the unintended consequences of this bill, which is big State costs for Medicaid being shifted to the States—unfunded mandates.

So here is Governor Schwarzenegger's advice, following up on the comments of the leader: ''So I would say be very careful to the Federal Government.''

This is from the Governor of California:

> Before you go to bed with all this, let's rethink it. There is no rush from one second to the next. Let's take another week or two. Let's come up with the right package.

I wonder if the Senator saw it.

Mr. MCCAIN. I thank the Senator from Tennessee who also understands this issue as well as or better than anyone, having been a Governor and recognizing the problems the Governors face.

If I could step back a second, Governor Schwarzenegger is a very astute observer of the political scene in California. May I point out to my colleagues, in this morning's Wall Street Journal: ''Democrats' Blues Grow Deeper in New Poll,'' and then: ''Support for Health Overhaul Wanes.''

There is some remarkable information concerning the mood and views of the American people, following on a Washington Post ABC News poll out yesterday that says 51 percent of Americans say they oppose the proposed changes to the system; 44 percent approve.

Thanks to the efforts of so many people, including our leadership, we have turned American public opinion because we have been informing them of the consequences of passage of this legislation.

Let me quote from the Wall Street Journal article:

> More Americans now believe it is better to keep the current health system than to pass President Barack Obama's plan, according to a new Wall Street Journal-NBC News poll. Findings mark a shift from the fall when the overhaul enjoyed the edge over the status quo. According to the poll, 44 percent of Americans said it is better to pass no plan at all compared with 41 percent who said it is better to pass the plan.

What they are saying is: Don't do this government takeover; don't increase taxes; don't increase spending; don't increase the costs. It is a remarkable shift, thanks to informing the American people.

Could I mention a couple of other points made in this poll in the Wall Street Journal. In September, 45 percent of Americans said they wanted the plan passed; 39 percent wanted to ''keep the current system.'' In December, in polling out today, only 41 percent of the American people want it passed, and 44 percent say keep the current system.

Then, of course, we have another interesting statistic:

> Trust that the government will do what is right: 21 percent say always or most of the time; 46 percent say only some of the time; and 32 percent of the American people say almost never.

Of course, the anger and disapproval of this health care plan right now is the centerpiece of Americans' dissatisfaction of the way we do business.

Let me say finally, because my colleagues wish to speak, we don't have a bill. We don't have a bill. Here we have been debating all this time and we do not have legislation. This was one of the bills we were presented with, but we know that significant changes are being made behind closed doors. We don't have a CBO estimate of the cost, do we? We understand they keep sending estimates over to CBO and it comes back and so they send them back, which probably is why last week the Senator from Illinois, the No. 2 ranking Democrat, said to me, I don't know what is in the bill either. I have the exact quote:

> I would say to the Senator from Arizona that I am in the dark almost as much as he is, and I am in the leadership.

That is an interesting commentary.

Of course, the issue of the protection of the rights of the unborn is still unclear. That is a big issue for a lot of Americans. It is a big issue with me, and I know it is a big issue with my colleagues.

So here we are back, off of the bill itself, and apparently we are going to have some kind of vote on Christmas Eve or something such as that.

What the American people are saying now is, when they say keep the status quo, they are saying: Stop. Go back to the beginning. Sit down on a bipartisan basis and let's get this done, but let's get it done right.

Americans know that Medicare is going broke. Americans know that costs are rising too quickly, but Americans want us to do this right and not in a partisan fashion and not with a bill that costs too much, taxes too much, and deprives people of their benefits.

Mr. ALEXANDER. Madam President, I thank the Senator from Arizona for his comments. We have two physicians in the Senate, Dr. COBURN from Oklahoma and Dr. BARRASSO from Wyoming. I wonder if they would bear with me for a minute or two to reflect on something the majority leader said—minority leader said—I hope he is the majority leader before too long—and the Senator from Arizona.

The minority leader, the Republican leader, talked about a historic mistake. There has been a lot of talk around here about making history on health care. The problem is there are many different kinds of history, as the Republican leader has pointed out. It seems our friends on the other side are absolutely determined to pursue a political kamikaze mission toward a historic mistake which will be disastrous for them in the elections of 2010, but much more important, for the country.

I did a little research on historic mistakes. We have made them before in the United States. Maybe we would be wise to take Governor Schwarzenegger's advice and slow down and stop and learn from our history rather than try to top our previous historic mistakes, such as the Smoot-Hawley tariff. That sounded pretty good at the time in 1930 when the idea was to buy American, but most historians agree it was a mistake and it contributed to the Depression.

There was the Alien and Sedition Act of 1798. It sounded good at the time. We were going to keep the foreigners in our midst—they were mostly French then—from saying bad things about the government, but it offended all of our traditions about free speech.

In 1969 Congress enacted the ''millionaires' tax,'' they called it, to try to catch 155 Americans who weren't paying any tax. That turned out to be a historic mistake, because last year it caught 28 million American taxpayers until we had to rush to change it.

Just a couple more. There was the Catastrophic Coverage Act of 1988. That was well named, but it turned out to be a catastrophe, a congressional catastrophe. The idea was to help seniors deal with illness-related financial losses, but seniors didn't like paying for it. They surrounded the chairman of the Ways and Means Committee in Chicago and now the leader of that group is a Member of Congress.

Then there was a luxury tax on boats over $100,000, another historic mistake, because it raised about half the taxes it was supposed to and it nearly sank the boating industry and it put 7,600 people out of jobs.

I ask my friends from Oklahoma and Wyoming—it is going to be a lot harder for Congress, if they try to fix the health care system all at once, to come back and repeal it than it was to repeal a boat tax. Do my colleagues think we ought to take the time to avoid another historic mistake?

Mr. COBURN. Well, I would answer my colleague from Tennessee. As a practicing physician, what I see as the historic mistake is we are going to allow the Federal Government to decide what care you are going to get. We are going to compromise the loyalty of your physician so that no longer is he or she going to be a 100-percent advocate for you, he or she is going to be an advocate for the government and what the government says. Because in this bill—even the one that is going to come—there are three different programs that put government bureaucracy in charge of what you can and cannot have. It doesn't consider your personal health, your past history, or your family history; they are going to say here is what you can and cannot do. That is called rationing. That is in the bill. That is coming. That is a historic mistake because it ruins the best health care system in the world in the name of trying to fix a smaller problem in terms of access, and it ignores the real problem.

The real problem is health care in this country costs too much. We all know this bill doesn't drive down costs, it increases costs. So your premiums go up, your costs go up, your care is going to go down because the government is going to tell you what you have to have.

I think that is a historic mistake and we have not addressed that. I wonder what my colleague from Wyoming thinks.

Mr. BARRASSO. Madam President, I agree completely. As a practicing physician taking care of people in Wyoming for 25 years, I have great concerns about this bill, what we know for sure is in it, which is $500 billion of cuts in Medicare to our patients who depend on Medicare, and that is a system that we know is going broke. That is why there is a front-page story in one of the Wyoming papers: ''Doctors Shortage Will Worsen.'' It is going to be harder on rural communities and others around the country if this goes through, and we know that because the folks who have looked at the parts of the bill we have seen have said that one-fifth of the hospitals in this country will be—if they are able to keep their doors open—operating at a significant loss 10 years from now. That is not the best future for health care in our country.

I had a telephone townhall meeting. People from all around the State of Wyoming were calling in and asking me questions, and they asked: What is in the bill? What is coming to the Senate?

We don't know yet. We haven't seen it.

They said: Well, when you find out, come home and let's have some more townhall meetings so we can have some input.

That is what we ought to do as a Senate. We ought to know what is in the bill and then let us go home and share it with our friends so they know. Because right now what the American people have seen of this bill, the 2,000-page bill, they rightly believe this will increase the cost of their own personal care.

Mr. COBURN. Madam President, if my colleague would yield, yesterday I asked the chairman of the Finance Committee to agree to a unanimous consent request that, in fact, for at least 72 hours the American people would get to see this bill; the Members of the Senate would get to see this bill; that there be a complete CBO score so we can have an understanding. He denied that request.

That comes back to transparency. The American people expect us to know exactly what we are voting on. They expect us to have read what we are voting on. His explanation was: I can't guarantee that. It presumes a certain level of perception on my part, an understanding of delving into the minds of the Senators that they could actually understand. What does understand mean? That is the kind of gibberish the American people absolutely don't want. They want us to know what we are voting on when we get ready to vote on this bill.

Mr. MCCAIN. Madam President, isn't that a violation of the commitment that was made that for 72 hours any legislation would be online, not just for us to see but for all Americans to see?

Could I ask the Senator from Kentucky, the Republican leader: Is it not

the perception now that this bill is probably going to be pushed through? Through various parliamentary procedures, the majority will try to force a final vote on this legislation, no matter what, before we leave? Isn't that in contradiction to what the majority of the American people are saying, that they want us to do nothing? Is this a responsible way to govern, to have the Senate in round the clock, 24 hours, people on the floor, quorum calls and all this kind of stuff; and there would also be no amendments allowed at that time for us to at least address some of the issues of this bill that begins cutting Medicare by $500 billion, increases taxes by $500 billion on January 1, and in 4 years begins spending $2.5 trillion? Is this a process the American people are reacting to in a negative fashion, obviously, by polling data?

By the way, I ask unanimous consent that the Wall Street Journal article entitled ''Democrats' Blues Grow Deeper in New Poll'' and ''Support for Health Overhaul Wanes'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Dec. 17, 2009]

DEMOCRATS' BLUES GROW DEEPER IN NEW POLL

(By Peter Wallsten)

WASHINGTON.—Less than a year after Inauguration Day, support for the Democratic Party continues to slump, amid a difficult economy and a wave of public discontent, according to a new Wall Street Journal/NBC News poll.

The findings underscored how dramatically the political landscape has changed during the Obama administration's first year. In January, despite the recession and financial crisis, voters expressed optimism about the future, the new president enjoyed soaring approval ratings, and congressional leaders promised to swiftly pass his ambitious agenda.

In December's survey, for the first time, less than half of Americans approved of the job President Barack Obama was doing, marking a steeper first-year fall for this president than his recent predecessors.

Also for the first time this year, the electorate was split when asked which party it wanted to see in charge after the 2010 elections. For months, a clear plurality favored Democratic control.

The survey suggests that public discontent with Mr. Obama and his party is being driven by an unusually grim view of the country's status and future prospects.

A majority of Americans believe the U.S. is in decline. And a plurality now say the U.S. will be surpassed by China in 20 years as the top power.

Democrats' problems seem in part linked to their ambitious health-care plan, billed as the signature achievement of Mr. Obama's first year. Now, for the first time, more people said they would prefer Congress did nothing on health care than who wanted to see the overhaul enacted.

''For Democrats, the red flags are flying at full mast,'' said Democratic pollster Peter Hart, who conducted the survey with Republican pollster Bill McInturff. ''What we don't know for certain is: Have we reached a bottoming-out point?''

The biggest worry for Democrats is that the findings could set the stage for gains by Republican candidates in next year's elections. Support from independents for the president and his party continues to dwindle. In addition, voters intending to back Republicans expressed far more interest in the 2010 races than those planning to vote for Democrats, illustrating how disappointment on the left over attempts by party leaders to compromise on health care and other issues is damping enthusiasm among core party voters.

But public displeasure with Democrats wasn't translating directly into warmth for Republicans. Twenty-eight percent of voters expressed positive feelings about the GOP—a number that has remained constant through the Democrats' decline over the summer and fall. Only 5% said their feelings toward the Republicans were ''very positive.''

And in one arena, Afghanistan, Mr. Obama appeared to have some success in winning support for his planned troop surge. Liberals remain largely opposed to the strategy, but in fewer numbers compared with before Mr. Obama made his case in a speech at West Point. Overall, by 44% to 41%, a plurality believe his strategy is the right approach.

Still, the survey paints a decidedly gloomy picture for Democrats, who appear to be bearing the brunt of public unease as unemployment has risen from 7.6% to 10% since Mr. Obama took office. Just 35% of voters said they felt positively about the Democratic Party, a 14-point slide since February. Ten percent felt ''very positive.''

''Overall, it's just a depressing time right now,'' said Mike Ashmore, 23 years old, of Lansdale, Pa., an independent who supported Mr. Obama last year but now complained about the president's lack of action on jobs.

Julie Edwards, 52, an aircraft technician for Boeing Co. in Mesa, Ariz., said she voted Democratic in the past two elections but wasn't sure how she would vote next time. She wondered why Wall Street firms were bailed out when average Americans needed help. ''We can bail out Wall Street, but everybody else has to suffer in spades for it,'' she said.

Democratic leaders, while bracing for losses next year, have argued that unlike the 1994 elections, in which Republicans gained 54 seats and took the House majority, Democrats would survive 2010 in part because they are taking steps to avoid that possibility. Republicans must gain 41 seats to take control.

House Speaker Nancy Pelosi said Wednesday that Democrats ''fully intend to be in the majority'' after November 2010, and she was now shifting to ''campaign mode'' to help candidates. Party officials are leaning on a number of longtime colleagues to fight for their seats rather than retire.

The Journal/NBC survey found Ms. Pelosi's presence on the campaign trail could do more harm than good. Fifty-two percent said they would be less likely to vote for a candidate who agreed with the speaker almost all the time, compared with 42% who felt that way about candidates siding with Republican leaders.

For Mr. Obama, who has relied on his personal popularity to retain the clout he needs to enact his legislative agenda, the survey pointed to troubling signs.

A majority for the first time disapproved of his handling of the economy. And the public's personal affection for the president, a consistent strong suit, has begun to fray. Fifty percent now feel positive about him, six points lower than in October and an 18-point drop since his early weeks in office.

Democrats' troubles can be attributed in part to changing feelings among some core supporters. A third of voters 34 and under, a group that turned out heavily for Democrats last year, feel negative toward the Democratic Party. And just 38% of Hispanics feel positive, down sharply from 60% in February.

The survey, which was conducted Dec. 11–14, has a margin of error of 3.1 percentage points.

[From the Wall Street Journal, Dec. 17, 2009]

SUPPORT FOR HEALTH OVERHAUL WANES

(By Janet Adamy)

The public is turning against an overhaul of the health-care system, complicating Democrats' effort to pass a sweeping bill in the Senate.

More Americans now believe it is better to keep the current health system than to pass President Barack Obama's plan, according to a new Wall Street Journal/NBC News poll. The findings mark a shift from the fall, when the overhaul enjoyed a slight edge over the status quo. They could make it more difficult to get wavering lawmakers on board as the Senate prepares to vote on the measure as soon as next week. Some Democrats expect support will rebound if they can pass a bill quickly and start selling it.

According to the poll, 44% of Americans said it is better to pass no plan at all, compared with 41% of Americans who said it's better to pass the plan. In early October, 45% of respondents preferred passing a bill, while 39% preferred passing no bill. Uninsured people were among those who have grown less supportive of the plan.

In seeking support for his top domestic priority, Mr. Obama has said the status quo wasn't acceptable because insurance premiums were rising sharply and government insurance programs were headed toward insolvency. Republicans have argued that many Americans could be worse off, particularly the elderly, because the legislation contained hundreds of billions of dollars in cuts to health-care providers through Medicare. The legislation would extend health-insurance coverage to at least 30 million more Americans by widening the Medicaid federal-state insurance program for the poor and providing subsidies to lower earners to help them buy coverage.

The idea of creating a government-run health-insurance option still enjoys considerable support. Democrats dropped the idea from the Senate version of the health bill. When asked what they thought of removing the public option, 45% of respondents said that wasn't acceptable, while 42% called it acceptable.

Respondents also favored letting people buy into Medicare starting at age 55, another idea Democrats abandoned to win the support of centrists needed to pass the bill in the Senate.

Democrats ''clearly have irritated their own base in a way that has dropped their enthusiasm for their own plan,'' said Bill McInturff, a Republican pollster who conducted the Wall Street Journal/NBC News poll with Democratic pollster Peter Hart.

In September, 81% of liberal Democrats thought the health plan was a good idea, and 6% thought it was a bad idea. In the most recent survey, 66% of liberal Democrats called it a good idea, while 13% called it a bad idea. House Speaker Nancy Pelosi suggested the decline in support for the health legislation was due to ''mischaracterization'' by opponents. She predicted views would turn around when the House and Senate coalesced around a single bill and the president began selling it to the public. ''It's very hard to merchandise health care until you have a bill,'' she said.

Mr. MCCONNELL. Madam President, I say to my friend from Arizona, with reference to the issue of the process, it

has been a bit of a charade—in fact, a whole charade. We have been out here for 2 weeks on the amendment process. We have had 21 votes, many of them have been side-by-sides, in order to cover the majority against the potential downside of voting to cut Medicare and voting to raise taxes.

But there is no serious effort to engage in any kind of genuine amendment process, such as the Senator from Arizona and I have been involved in here for quite a while. Then the bill, which we are actually only allowed to have about two votes a day on, is not the real bill. The real bill—we know the core of it, but there are a lot of things around the edges being slipped in and slipped out, and they want to jam the public before Christmas, as the Senator from Arizona indicated.

How arrogant is that? They think: We know better than you, we know better than the Republicans, and we know better than the public. Why don't all of you—the Republicans and the public—sit down and shut up and leave it to us and we will take care of it before Christmas.

Mr. ALEXANDER. I say to the Republican leader and the Senator from Kentucky, I believe there is another bit of history being made. This process is historic in its arrogance. This isn't very hard to understand. The proposal is to take 17 percent of our economy, affecting 300 million Americans, and nothing could be more personal, as the Republican leader has said, than our health care.

But now we don't have the bill. We do not have the bill. It is being written in secret in another room. If there is any part of this debate that went through to every single household in America, I believe it was when the Finance Committee voted down a motion—the Democrats voted down a motion that the bill should be on the Web for 72 hours so that the American people could see the text, know what it costs, and know how it affects them.

Eight Democratic Senators wrote the Democratic leader and said they want to insist that they know what the text is, and that they have the official score from the Congressional Budget Office, and that they have it for 72 hours before we move to vote.

We don't have the bill. We don't have the official score from the CBO. Seventy-two hours is three more days, and even though eight Democratic Senators and all the Republican Senators said we want to know what it costs, know what it is, and how it affects us, they want to run it through before Christmas.

Mr. MCCAIN. May I mention to my colleague that maybe the reason why they don't want it to be online for 72 hours is because when they examined what we have—on page 324 in this bill is an $8 billion tax on individuals who have nongovernment approved plans. On page 348 is a $28 billion tax on businesses that cannot afford to offer insurance to their employees. On page 1979: Raises an almost $150 billion tax on many middle-class workers using so-called Cadillac health insurance plans. Page 1997: Will cost families and individuals an additional $5 billion by prohibiting the use of savings set aside for health care expenses through health savings accounts. Page 2010: Will make the cost of lifesaving medicine more expensive by taxing pharmaceutical research firms an additional $22 billion. The list goes on and on, including on page 2040: Increasing Medicare payroll taxes by $53.8 billion.

That may be a reason why it is going to be difficult for them to win passage of this after 72 hours of examining this bill.

Mr. MCCONNELL. It makes this bill, in addition to all of the other problems, a job killer. With unemployment at 10 percent, there is a big tax increase on a variety of different Americans, as Senator MCCAIN pointed out, in addition to all of its other problems—substantive problems, process problems. It is a job killer in the middle of a very difficult recession.

Mr. COBURN. I say to my colleagues that one of the things President Obama said he wanted to have was transparency. There has been no transparency in the process. That is why at least if there is not going to be transparency in the process, we ought to at least have it transparent to the American people for 72 hours. This is a quote from the chairman of the Finance Committee:

> I think it is impossible to certify that any Senator will fully understand.

We are going to have a 2,000-plus page bill, and the chairman of the Finance Committee says he thinks it is going to be impossible to certify that any Senator will fully understand this bill. That is the best reason I know not to pass this bill, because if we don't understand it, you can bet the American people aren't going to understand it.

Mr. MCCAIN. When more Americans begin to understand it, they don't want it. That is thanks to the efforts made all over this country to educate the American people about what the impact of the bill will be.

Mr. BARRASSO. Following along what the Senators are saying, that is why the support of the American people for the bill is at an all-time low. It is at the lowest level of support ever. According to this NBC poll, fewer than one out of three Americans support this bill. They don't know all that is in it, but they don't like what they see so far, because they believe, in overwhelming numbers, that the cost of their own care will go up, that this will add to the deficit, it will hurt the economy, and their health care would actually be better if we pass nothing.

So why would the American people support a bill that is going to cost them more personally and when their health care will get worse? That is not the value the American people have ever wanted.

That is what I hear from patients at home, and it is what I hear on telephone town meetings. That is what we are hearing in all of our States. This is what the American people continue to say: Do not pass this bill.

As our leader said, we do need health care reform, and Dr. COBURN certainly knows that. But it is not this reform that we need.

Mr. ALEXANDER. We come to the floor every day and point out the problems with the bill. We don't have a bill now, we can't read it, and we don't know how much it costs or how much it affects the American people. It raises taxes and premiums. It will increase the debt, because it doesn't include things such as the physicians Medicare reimbursement. It cuts Medicare by $1 trillion over 10 years once it is fully implemented.

We point out what we think should be done. My colleagues have talked about it many times. Instead of wheeling in another 2,000-page bill, we should focus on the goal of reducing costs, and we should take several steps toward doing that. The Senator from Arizona talks about one of those things, which is reducing the number of junk lawsuits against doctors. I don't think that is in the bill, unless it is secretly being added in the back room today.

Mr. MCCAIN. Well, I don't think that is being added today. Again, I also point out that Americans are now against passage of this legislation. But in that polling data, it is very interesting, also, the majority of seniors, by much larger numbers—the actual beneficiaries of Medicare—are turning against it, and the intensity of Americans against it—which is harder to gauge in a poll—is incredible.

If the responses that our efforts are getting are anything close to indicative of the mood of the American people, and the intensity of it, it is probably as great as I have ever seen in the years that I have had the privilege of serving in the Congress of the United States.

This polling data says more Americans now believe it is better to keep the current health system than to pass President Obama's plan. That is a message being sent, and the intensity is higher than any I have ever observed in my years of service. I thank them for that.

There is a chance that we can stop this, and we start in January. We would be willing to come back and sit down and negotiate, with the C–SPAN cameras on—as the President said or committed he would do as a candidate. We would sit down together here, at the White House, or anywhere, and we can fix this system that we all know needs fixing.

As the Senator from Oklahoma said, it is the cost that has to be addressed, not the quality.

Mr. COBURN. I want to bring up an example. We are going to see this time and time again if the bill goes through. We had the U.S. Preventive Health Task Force put out a recommendation on breast cancer screening through

mammography on the basis of cost. They said it is not cost effective to screen women under 50 with mammograms, because you have to screen 1,900 before you find 1 breast cancer. On cost, they are right; but over 50, you have to screen 1,470.

So what we had was a decision made on cost, not on quality, not on patients, but based on cost. We fixed that as part of an amendment to this bill. We actually fixed that. There are three different agencies within this bill that are going to do the same thing. Every time they make a ruling based on cost, not on clinical outcomes and what is best for patients, are we going to fix it? No. We are transferring the care of the American patient to three bureaucracies within the Federal Government, and they are going to decide what you have to do. If you think about it, this week the wife of a Member of this body was diagnosed with breast cancer. She was diagnosed through a mammogram. Under that task force's recommendation, she would not have gotten that mammogram.

Mr. MCCAIN. I ask the Senator from Oklahoma, would that aspect of this bill come to light if it hadn't been for the recommendation that was made by another similarly acting policymaking body? In other words, that is what triggered the investigation of what was in this bill, which would have had exactly the same effect. So if we hadn't had that information of a recommendation by another government policymaking bureaucracy, we would not have known about this until the bill would have taken effect.

Mr. COBURN. So there is no transparency. What we do know is that we are going to have three organizations, the Medicare Advisory Commission, the Cost Comparative Effectiveness Panel, and the U.S. Preventive Health Task Force that will tell everybody in America what they are going to receive.

Mr. MCCAIN. This example wouldn't have been known if it hadn't been for the actions of the bureaucracy. Doesn't that bring into question what else is buried in this 2,000-page piece of legislation?

Mr. COBURN. What are the unintended consequences of this that they don't know? What we do know is there are 70 new Government programs that will require over 20,000 new Federal employees, and there are 1,690 different times when the Secretary of HHS will write rules and regulations about your health care in America—the Secretary, not your doctor; your doctor isn't going to write the regulations. The Secretary of HHS is going to write the rules.

Mr. MCCAIN. Let me point out again that we don't know what the CBO estimate is, because we know the majority leader keeps bouncing proposals back and forth to CBO. That is why we haven't had CBO information now for many days. But there is the Commission for Medicare and Medicaid, which clearly points out that this legislation would increase taxes dramatically, increase costs dramatically, decrease care, and it would have the effect of forcing people not only out of the system, but even if they are in the Medicare system, they would not have physicians to provide the care, because more and more physicians would fail to treat Medicare patients.

Mr. COBURN. So we go back to the 72 hours. We are going to get a new bill, but we will not have the opportunity to amend it. We are not going to be able to read it and study it, nor are the American people. What do you think the outcome of that will be?

Mr. MCCAIN. I think we know what the outcome will be. We will either be able to reflect the feelings and intense feelings of the majority of the American people about this legislation and say let's go back to square one and all commit to a bipartisan approach to this issue or we will see jammed through on Christmas Eve legislation that will have the most far-reaching effects and devastating effects, I think, not only on our ability to provide much-needed medical care to all of our citizens, but also an impact that would be devastating on the debt and deficit, upon which we have laid an unconscionable burden already.

We have two choices—to go back to the beginning and enact many reforms we can agree on—and there are many we could agree on immediately on a bipartisan basis; as the Senator from Tennessee pointed out, there has never been a fundamental reform made in modern history that was not bipartisan—or we are going to see jammed through, over the objections of a majority of Americans, legislation that they have never seen, read, or understand.

That is the choice we have. That is what it is boiling down to. I think that, frankly, the American people should be heard, not a majority over on the other side.

Mr. BARRASSO. The American people are saying: Don't cut my Medicare, don't raise my taxes, don't make things worse than they are right now, and this bill cuts Medicare, raises taxes, and for people depending on a health care system in this country this makes things worse.

Mr. MCCAIN. By the way, could I mention, if you live long enough, all things can happen. I now find myself in complete agreement with Dr. Howard Dean, who says we should stop this bill in its tracks; we should go back to the beginning and have an overall bipartisan agreement. Dr. Dean, I am with you.

The PRESIDING OFFICER (Mr. BENNET). The Senator's time has expired.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may speak up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I have sought recognition to comment about the Patient Protection and Affordable Care Act. It has been an extraordinary legislative process with a good bit of the calendar year 2009 taken up with very intensive work to try to pass health care reform. At the moment, there is still some doubt as to what will happen with the bill. The Congressional Budget Office has not yet submitted a report on the so-called managers' package.

There are still some concerns being expressed by some Senators. I can understand the frustration that some have had as we have moved away from a public option. I have been an advocate of a robust public option and think it ought to be part of the legislation.

The public option is what it says. It is an option. There have been efforts made to demagog the issue by saying it is a takeover by the Federal Government. It is not. The private insurance industry remains in the field, and this is one option.

As President Obama has put it, it is an option to try to keep the private insurance companies honest. We have seen, in the past several months, very large increases in premiums for small business. The reports have been that those increases in premiums have come from Wall Street pressure on the insurance companies to try to increase their profits before there is legislation. The public option would be a forceful factor dealing there.

When the objections were raised to the public option and in an effort to find 60 votes—it is difficult when you have no help at all from the Republican side of the aisle, illustrated by the performance just put on with their prepared colloquy—it is not easy to find everyone in agreement. Then there was an effort to move to expand Medicare. I think that is a fallback position that would have been very helpful.

There are some who are contending that people who are disappointed with the lack of a public option and disappointed from the retreat of expanding Medicare say we ought to start over and begin again. I can understand that frustration.

My own view, after thinking it through very carefully, is we ought to proceed and do as much as we can this year, realizing that some of the tough legislative achievements take a period of time to accomplish. But the Civil Rights Act of 1957 was necessary, although it did not go as far as people would have liked then, to get the Civil Rights Act of 1964. Again, it did not go as far as people would have liked, but we did find the Voting Rights Act of 1965. We have to find times when we have to build incrementally on these matters.

I have been in the Senate following the elections of 1980, and I have seen matters take a very substantial period of time. While it is not on the subject, we were trying to provide more than 100,000 jobs in Pennsylvania by deepening the channel. The authorization

came in 1983. It took until 1992 to get the Corps of Engineers to agree on funding. Now it has $77 million. We are still in court, but it is going to move forward. I do not expect health care legislation to take that kind of a long term, but it is a matter which does take some time.

It is my hope we will yet improve this bill. It is my hope that when the bill goes to conference, we will find a way, perhaps, even to bring back the public option in a refined sense. The public option is in the House bill.

One Republican Senator has stated opposition on the ground that there has not been time enough to review the bill. It is complicated. I think there has been time enough to review the bill. But I respect the view of the Senator on the other side of the aisle. When the bill goes to conference, that Senator will have an opportunity to review the bill further. That Senator has shown some inclination to support the bill, having voted it out of the Finance Committee.

Another Republican Senator has commented that the bill has been very greatly improved, not sufficiently for the taste of that Senator, but perhaps we will find a way to improve the bill. We still do have a bicameral legislature. We do have the House of Representatives which has the public option.

Comments were made about the fall of the expansion of Medicare on the ground it was considered in too brief a period of time, not enough time to digest it, not enough time to think through. We will have, in the month of January, some time to consider that further, and in conference we may well find we are able to improve the bill. We cannot get to conference unless we pass the bill out of the Senate.

I was asked yesterday how will I respond to my constituents if we have the bill which has had so much taken from it. I said: A more relevant question or an equally relevant question is how will I respond to my 12 million constituents in Pennsylvania if we go home with nothing. If we have 80 percent accomplished, then that is a starting achievement.

It may well be it will take the campaign in 2010. If this Congress will not pass a bill with a robust public option, it could well be a campaign issue.

I believe my colleagues on the other side of the aisle may well be misreading the American people. I believe the American people do want health reform. It does take time for the American people to understand the ramifications of it. But this may well be a campaign issue in 2010. The 112th Congress may have a different view as to how we ought to proceed.

During the month of August, when I was making the rounds of town meetings in Pennsylvania, in accordance with my habit to cover almost every county almost every year, when I got to the first town meeting, the second Tuesday in August, the first week we were in recess, I found instead of the customary 85 or 100 people, more than 1,000 people and 3 national television sound trucks—CNN, MSNBC, and FOX. There were a lot of vituperative statements. One man approached me apoplectic and said the Lord was going to stand before me. I think he got mixed up. I think he meant to say I was going to stand before the Lord. Senators are reputed to have power but not quite that much power. I think the public tenor is considerably more favorable to health care insurance today than it was then. After the 2010 election, it may be substantially more favorable.

We have to move ahead with building blocks, and we do have a chance to improve the bill in conference.

I point to the provisions of the bill as to what we have. We have very significant insurance reforms. We have eliminating discrimination based on preexisting conditions. We have new health insurance exchanges. We have an elimination of a cap. We cover many of the uninsured, expanding to some 33 million additional people. We have substantial more small business assistance, preventive care, increased health workforce. We have improvements in the health delivery system. We have fiscal responsibility that this bill will not add to the deficit but will, in fact, reduce the deficit in the first decade by some $120 billion and in the second decade by some $650 billion.

We have a provision I have pressed in earlier legislation, S. 914, to provide for transformational medicine.

During my tenure as chairman of the Appropriations Subcommittee on Health and Human Services, I took the lead, with the concurrence of Senator HARKIN, who was then in the minority, to increase NIH funding from $12 billion to $30 billion and then in the stimulus package to add $10 billion more. There has been a gap on what we call transformational medicine, going from the so-called bench in the laboratory to the bedside. While I have not seen the final version of the managers' packet, I am informed that provision will be a part of the bill.

We have very important measures for preventive care, for annual exams, which will cut off many chronic illnesses which are so debilitating and so expensive.

I have pressed an amendment, which is pending, to have mandatory jail sentences for at least 6 months for someone convicted of $100,000 or more of Medicare or Medicaid fraud. Jail sentences are a real deterrent. The experience I had as Philadelphia's DA showed me that when you have a fine, that is added onto the cost of doing business and is passed on to the consumers.

I ask unanimous consent to have printed in the RECORD a statement of the provisions which I briefly summarized which are very favorable in this bill and a statement of testimony at a Criminal Justice Subcommittee to show the value of deterrence.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PROVISIONS IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT

GENERAL INSURANCE REFORMS

Insurance companies will be barred from discriminating based on pre-existing conditions, health status, and gender.

New health insurance Exchanges will make coverage affordable and accessible for individuals and small businesses.

UNINSURED

With a reported 47 million people without health insurance the status quo is not acceptable. Additionally, there are millions more Americans who are underinsured, with health insurance that is inadequate to cover their needs.

In 2007, 1,206,115 Pennsylvanians under age 65 were uninsured for the entire year, which is 11.3 percent of the under 65 population.

The analysis found that the legislation would extend coverage to 33 million more Americans, bringing the percentage of Americans with health insurance to 93%.

The bill covers 10% more Americans with only a 0.7 percent increase in spending—a change of only 0.1% of GDP in 2019.

SMALL BUSINESS ASSISTANCE

In the current health insurance market small business are at a distinct disadvantage in providing health insurance to their employees. In a recent study it was found that 58 percent of small employers do not offer health insurance, with nearly 50 percent stating that they can't afford it.

The Patient Protection and Affordable Care Act address health insurance problems facing small businesses by providing more health plan choices, fairness in the marketplace and improving affordability with tax credits.

PREVENTATIVE CARE

The Patient Protection and Affordable Care Act will eliminate co-pays and deductibles for recommended preventive care, provide individuals with the information they need to make healthy decisions, improve education on disease prevention and public health, and invest in a national prevention and public health strategy.

INCREASE HEALTH WORKFORCE

Currently, 65 million Americans live in communities where they cannot easily access a primary care provider, and an additional 16,500 practitioners are required to meet their needs. The Patient Protection and Affordable Care Act will address shortages in primary care and other areas of practice by making necessary investments in our nation's health care workforce.

IMPROVEMENTS IN THE HEALTH DELIVERY SYSTEM

The legislation we are considering will establish an Independent Medicare Advisory Board to present Congress with proposals to reduce cost growth and improve quality for Medicare beneficiaries. In years when Medicare costs are projected to be unsustainable, Board proposals will take effect unless an alternative is adopted by Congress. This type of reform is necessary to ensure the financial future of Medicare.

Preventable hospital readmissions diminish quality and efficiency in the health care system. Nearly 20 percent of Medicare patients who are discharged from the hospital are readmitted with 30 days. The Medicare Payment Advisory Commission (MedPAC) estimates that Medicare spent $12 billion on potentially preventable hospital readmissions in 2005, which would be more than $15 billion today.

The bill also begins the payment system reform of bundling Medicare provider payments as a lump sum fee—instead of paying a fee for each service—encourages care coordination and streamlining. It removes the incentive to generate additional services for added reimbursement.

FISCAL RESPONSIBILITY

The legislation is fully paid for and reduces the deficit in the next ten years and beyond.

The revenue provisions in the bill focus on paying for reform within the health care system.

THE COST OF INACTION

In 2000, family health insurance purchased through an employer cost $6,438 and consumed 13 percent of median family income. In 2008, the same family health insurance cost $12,680, a 97 percent increase over the 2000 cost, consuming approximately 21 percent of median family income. In 2016, the same insurance is projected to cost $24,291, nearly double the 2008 cost, which will consume 45 percent of projected median family income.

Let's kind of go back to (inaudible). Can you—each one of you, starting with Mr. Perkins, talk about kind of what's the—the impact of criminal prosecutions and prison time versus civil actions and fines.

KEVIN PERKINS, Assistant Director, FBI: Yes, Senator. The—it's really a combination of both. We, obviously, are very successful in the health care fraud side, where we have civil remedies that we utilize each day in our investigations there. But again, I'm a—I'm a very strong proponent of criminal prosecutions that involve serious jail sentences for white-collar criminals. That is a huge deterrent.

I've seen it over the years, and I—I know—I know that, from my own personal experience, going and interviewing individuals who are—who—white-collar criminals who have been—or are doing jail time, going and talking to them on various occasions—it's—it's a huge deterrent. It's—it's something that we have to have, going forward, to make this work.

KAUFMAN: Mr. Khuzami.

ROBERT KHUZAMI, Director, Securities and Exchange Commissions Division of Enforcement: (Inaudible), yes, but there's—there's no deterrent that's a substitute for jail time. I miss the cooperation tools, and I—I miss the sentencing guidelines even more. But there is a very significant role for the civil regulators as well, simply because: Because of the standard of proof of beyond a reasonable doubt and the necessity of convincing 12 jurors of the—of the guilt of someone, the criminal authorities, by definition, cannot and should not capture the whole field of wrongdoing.

And so what you'll often see is criminal authorities focused on the core wrongdoers, and we may cast a wider net—because we have a lower standard of proof—cast a wider net amongst those involved in the wrongdoing as well. And in particular, there's lots of wrongdoing that goes on that doesn't rise to the level of criminal intent, all sorts of activity across regulated broker-dealers and investment advisors and others where, if you can at least make it unprofitable—so that they have to give back the money they wrongfully got, pay a penalty, perhaps suffer time out or lose their license—that, too, has a significant impact.

KAUFMAN: Mr. Breuer.

LANNY BREUER, Assistant Attorney General: Senator, obviously, as Rob (ph) says: A comprehensive approach is essential. Civil remedies are essential. But I've had many years in the private practice, and I've had many years when I represented individuals, and I can tell you, Senator: In a white-collar case—I've been in the conference room with my clients—there is nothing—there is nothing like an individual—who feels as if he or she has been sort of the center of their community, is well-respected and has had a comfortable life—realizing that they're facing jail time. The terror in their eyes is like nothing else, and there's simply no deterrent like it.

KAUFMAN: You know, I think I know the answer to this, but I think it'd be good to be on the record, and starting with you, Mr. Breuer. Why don't—why haven't we seen more, you know, board room prosecutions?

Mr. SPECTER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. SPECTER. I thank the Chair.

Mr. President, there is another very important aspect, in my opinion, of the Senate enacting legislation on this bill; that is, we were sent to Washington to govern. What we have seen in the recent past has been staggering partisan politics. Partisan politics became a blood sport in Washington, DC. It is a blood sport on the floor of the Senate. It pervades the entire town.

The point from the Republican side of the aisle has been very clear; that is, to make this President Obama's Waterloo, to make this ''break President Obama.''

I saw the ramifications when we took up the stimulus package earlier this year. There were only three Republicans—Senator SNOWE, Senator COLLINS, and myself—who would even talk to the Democrats. There was a determination to look ahead to the 2012 elections on the Presidency even before the ink was dry on the oath of office taken by President Obama on January 20. This was the second week of February, the week of February 6, as I recall, just a couple weeks, and already the plans were for the next election.

As I reviewed the matter, it seemed to me we were on the brink of going into a 1929 Depression. The 1929 Depression was very hard on the Specter family, living in Wichita, KS, at the time. Both of my parents were immigrants. In the mid-1930s, the family moved from Wichita to Philadelphia to live with my father's sister. That is what happened in the Depression—you moved in with relatives because there were no jobs.

I sided with supporting the stimulus package and played a key role in having that enacted. And the political consequences on a personal level are not something to be discussed on this floor at this time, but the conduct of partisanship on the stimulus package is directly relevant to what we are doing here today, and that is that we are being stonewalled.

I think it is harder for a Republican to stand up on health care reform and join the Democrats today than it was in January and in February when three of us did so. And if I were on the other side of the aisle today, I would be supporting health care reform. I would be supporting, and perhaps, if I were on the other side of the aisle today, I could bring somebody with me. I don't know. That is entirely speculative.

Without revealing any more of the confidence which went on inside of the Republican caucus, when I talk about a Republican Senator's statement that this should be the Waterloo of President Obama and this should break him, those are matters in the public record. But the pressure over there in the Republican caucus is absolutely intense, and we were sent here to govern.

In the Democratic caucus—and the Presiding Officer, the distinguished Senator from Colorado, was there on Monday evening—when my turn came to speak, I said: I have two sentences. And may the record show a smile on the face of the Presiding Officer. I said: I have two sentences. One sentence is, the bill is a great deal better than the current system, and the second sentence is, we should not let obstructionism prevent us from governing. And that is why I crossed the aisle to make the 60th vote. I was very surprised to see in the public record—been in the newspapers—that everybody stood up and applauded, and I read in one of the Hill newspapers today that you could hear the applause down the corridor. So they knew what was going on. Well, that is the role, it seems to me, of a Senator. We are facing a situation where, if defeated, it will have a significant impact on the tenure of President Obama.

We had a meeting on Tuesday—2 days ago—in the Executive Office Building, and it was a rather remarkable setting. There was a large rectangular table, and in the center on each side—one side was President Obama, the other side was Vice President BIDEN, and almost all of the 60 Senators were present. I think Senator BYRD couldn't be there because of his ailment, but I believe everybody else was present. During the course of that session, the President expressed himself—and this has also been publicized—that if action was not taken now, it would discourage anyone from the foreseeable future—any President—from undertaking health care reform if now, with both Houses and 60 Members of the Democratic Party, you can't get it through the Senate and get it conferenced and get it enacted.

Some of those who were most vocal in favor of the public option urged those in the caucus who disagreed to reconsider their position, and I would renew that request that they reconsider their position. The people who would classify themselves as most progressive in the Democratic caucus have swallowed hard and have announced publicly that they would support this bill even though it doesn't have a robust public option, doesn't have the Medicare expansion. And that may shift yet.

It is fair and accurate to say there are more pressing problems confronting the United States today than at any time in our history, and we have

to finish health care next year to move ahead to jobs. We have the issues of global warming and climate control, and we have the problems with the Mideast peace process and the difficulties in Iran and North Korea and Afghanistan. We need a strong President, and we need a Congress which has the courage to act and the tenacity and willingness to confront tough problems. We need to show the American people that it is not all gridlock here, that it is not all desperate, desolate partisan politics.

So my vote will be in favor of the bill. Although I am, frankly, disappointed and I share the frustration expressed by many people who say go back and start again, this is a significant step forward. We have a great chance to improve it in conference, and beyond that there will be another Congress. And with the analogy of civil rights legislation, we can get the public option and get greater public involvement for the benefit of the American people.

I thank the Chair, and I yield the floor.

Mr. President, in the absence of any other Senator seeking recognition, I ask unanimous consent to speak up to 3 minutes on another subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICANS HELD BY IRAN

Mr. SPECTER. Mr. President, there has been wide publicity given to three young Americans who were taken into custody by Iran and the recent reports that they are going to be tried in an Iranian court. Senator CASEY and I, in the Senate, introduced a resolution urging the Iranians to release those three young Americans—Congresswoman ALLYSON SCHWARTZ, on the House side, did so in the past—and it is my hope Iran will change its view.

I was talking to the Syrian Ambassador yesterday, who advised me that when the five British citizens were taken into custody by Iran, the Government of Great Britain made a request of the Syrian Government to use their good offices to secure the release of the five British citizens. That request was made via Syria, and they were released.

I have written to and contacted the State Department since that meeting yesterday afternoon to find out what is the status of U.S. activity because if we have not asked the Syrians for help, my view is that we should. It would be my hope that with the very difficult problems facing the United States in Iran, that Iran would relinquish the custody of those three young Americans and release them to their family and friends, especially at this time of the year.

I have been an advocate of dialog with Iran for years. I have tried to go to Iran since 1989, when the Iran-Iraq war ended. Senator SHELBY and I got to Iraq and met Saddam Hussein, but as yet we have not had an interparliamentary exchange, which I have sought for a long time with the Iranians.

It would be my hope that Iran, for humanitarian reasons, would release these people and that we would exercise our best efforts—the U.S. Government working through Syria or whatever other channel we can find—to secure their release.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KIRK). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, before the Senate now is an issue of funding our military, the Department of Defense appropriations bill. This is a bill that is critically important because it provides the funding our men and women in uniform now risking their lives while we meet in the safety of our businesses and offices and homes in America, it funds their needs to make sure they will be safe to perform their missions effectively and come home. Without fail, every year this bill comes before the Senate and is a consensus bipartisan bill.

Regardless of our debates over foreign policy, we all want the men and women in uniform to know we stand behind them. As a consequence, this bill usually passes with an overwhelming number. I asked how this bill fared in the House of Representatives when it was considered yesterday. The vote was 395 to 34. There were 164 Republicans who voted yes on this bill. It was clearly an overwhelmingly positive bipartisan vote. There is no reason it would not be the same in the Senate.

But there is a problem. The problem is this: Tomorrow the funding for our troops runs out. It is the end of our continuing resolution in funding. We are not going to leave them high and dry, but we are going to leave them uncertain if we don't act decisively and quickly. Why would we do this to them?

Military families across America, as we go into the holiday season, I am sure, are saddened by the absence of their loved ones who may be in Iraq or Afghanistan, saddened by a separation from children and other loved ones they would like to avoid in their lifetime but they have offered it up for this great country. With this kind of uncertainty and sadness and emotion, why would we be uncertain when it comes to funding our troops?

Here is where we are: We offered this yesterday. We said: Let's vote for it. Let's vote for our troops and get this behind us so the Department of Defense appropriations bill was clear.

The other side of the aisle said: No. We want you to go through all of the hurdles that you have to go through under the procedures of the Senate for the most controversial bills. We want you to file a cloture motion which would put an end to a filibuster. We want you to fill the tree with amendments so that this bill isn't assaulted.

Believe me, the terminology would lose most people, including many Senators, but the bottom line is this: Instead of just doing what we know needs to be done and what should be done, Republicans have insisted we delay this process for at least 2 days.

Why? Why would we want to delay funding our troops in the middle of a war? Why would we want to say to our troops that the military pay raise they were counting on so their families can get by back home, and for those stationed in the United States, make sure that they have what they need, why would we say to them that we are going to raise a question as to whether we are going to put $29.2 billion into the defense health program, the health program for our military members and their families?

Why would the Republicans insist on delaying a vote for $472 million for family advocacy programs for military families who are separated, many of whom are going through extraordinary stress because of the separation? Why would they want to delay a pay raise for the military? Why would they want to delay $154 billion for equipment and training for our military?

I don't understand it. It would seem to me that we ought to come together by noon today and say: Let's do this. Let's not waste another minute in terms of helping our troops and showing them we stand behind them. But, no, the decision has been made on the other side of the aisle that we are going to delay this matter until tomorrow.

They say in politics, for every decision there is a real reason and a good reason. There may be some good reason they are giving on the other side of the aisle for delaying funding our troops, but the real reason is their hope that they can stop health care reform in the Senate. That is what is behind this. The lengths to which those on the other side of the aisle will go was demonstrated yesterday.

We had a defining moment when the leadership on the Senate Republican side insisted, through Senator COBURN of Oklahoma, that an 800-page amendment be read by the clerk. It is the right of a Senator to ask for that. It is an archaic right because people don't sit here hanging on every word to understand an amendment. That never happens. It didn't happen yesterday. But the clerk started reading.

Almost 2 hours into it, it was pretty clear that it would take 10 hours to finish this 800-page amendment, despite the best efforts of the clerk's office. Why did the Senate Republican leadership want to take 10 hours out of a day for something that was meaningless—the reading, word by word, line by line, page by page, of an 800-page amendment? To stop debate on health care reform.

During that period, no one could debate it. No one could amend it. The Republicans have conceded that they are finished with the debate and amendment phase of health care reform. They have decided now that the only thing they could possibly do is to delay everything the Senate can consider in the hopes that maybe we get tangled up with our desire personally to be home with our families during the holidays and would not do our duty here.

They are wrong. We are determined to do this. We are determined because health care reform for this country is so absolutely essential. The Presiding Officer has an awesome assignment, succeeding the late Senator Ted Kennedy whom he counted as a close friend and served as a member of his staff.

In our cloakroom is a cover of Time magazine where Senator Kennedy is looking out with that smile on his face saying: We are almost there. It was an article he wrote before he died about health care reform. He, more than any person in the Senate, had the authority to speak to it. Senator KIRK told us in a meeting of our caucus the other day that it was 40 years ago when Senator Kennedy took to the floor as a young man and talked about the priority of health care reform. Forty years, when you think about it, 40 years of waiting for this moment to vote on health care reform. If he were here today—and I wish to God he were—he would be back there at that desk—that was Kennedy's spot—thundering in this Senate Chamber about this historic opportunity and how if it costs us Christmas Eve or costs us Christmas Day or even more, we cannot let down the people of this country.

I see the polls. This complicated issue of health care reform has a lot of people confused and even worried. They have heard some of the wild charges on the other side. At one point they were arguing about death panels; that ultimately the government was going to decide whether people would live or die. That was one of the cruelest distortions in this debate.

The actual issue was raised by Senator JOHNNY ISAKSON, who is a Republican of Georgia, whom I thought raised a serious and important consideration and one that all of us, though we might not want to, should reflect on. He said every person under Medicare ought to have a compensated, paid-for visit to a doctor if they want, voluntarily, to talk about end-of-life treatment. There is hardly a family in America who doesn't contemplate that possibility, doesn't have a husband say to a wife: Honey, I don't want any of that extraordinary stuff. Don't keep me on life support.

What Senator ISAKSON wanted to do was to give Medicare patients an opportunity to sit down with a doctor and say: What instruction should I leave? If this is what I believe, whom should I tell? That was a humane, thoughtful amendment. But the critics of health care reform twisted and distorted it into a death panel that was going to tell Grannie: We are going to pull the plug.

Sad. It was sad, when Senator ISAKSON offered such a good-faith amendment, to have it distorted. It is no wonder if the critics of health care reform would go to those extremes to try to defeat this bill, why other extreme things have been said about it. If you listened on the floor of the Senate over the last several weeks while we have debated health care reform and listened to the speeches from the other side of the aisle, you would believe that this bill is going to destroy Medicare. Many Republican Senators who historically did not support Medicare and wanted to privatize Medicare are now its most fervent champions. You might question their sincerity. We don't do that in the Senate because we don't question motives of people. But I will question their accuracy.

This bill, which is over 2,000 pages, knows the future of Medicare is important to all of us. If we do nothing today, Medicare will go broke in 8 years. We would not be bringing in enough money from payroll taxes to pay the Medicare services we promised in 8 years. That is a fact. But this bill is going to change it. This bill will add 10 years of solvency to Medicare. I wish it were more, but it is a step in the right direction to say to those receiving Medicare and those about to go into Medicare: This important program will be there when you need it; 10 years of added solvency in Medicare; Medicare on sound financial footing for 10 more years because of this bill.

There is something else it does. At the end of our conference between the House and Senate on health care reform, we are going to take care of a problem in Medicare. It is a serious problem. When we passed the Medicare prescription drug program, there wasn't enough money to fund it. They created this strange situation where if you were seriously ill under Medicare and receiving medication, this Medicare Part D plan would pay for prescription drugs up to a certain limit and then stop.

In the midst of a new calendar year, some could find several months into that year that Medicare Part D was not paying for any more prescription drugs. You would be responsible personally to pay for them. After you had paid a certain amount of money, the Part D coverage would kick in again. It was known euphemistically as the doughnut hole, that gap in coverage in Medicare Part D. When this is over, this health care reform is going to fill that gap, close that doughnut hole, give to 45 million Americans under Medicare the peace of mind of knowing that their prescription drugs will be paid for and they will not find themselves exhausting savings or going without it when it comes to basic medication.

That is why this bill is important. That is why some of the things that have been said in the debate are so misleading.

There is something else this bill does which we ought to take pride in as Senators. Most civilized and developed countries in the world have a health care system that protects their people. We are the only developed country on Earth where a person can die because they don't have health insurance. We are the only one.

You might say: Senator DURBIN, aren't you getting a little carried away? Well, 45,000 people a year do. Let me give you an illustration: What if you had a $5,000 copay on your health insurance and you didn't have $5,000 and the doctor says: I am a little bit worried about some of the things you tell me, Senator. I think you need a colonoscopy.

That is something I can understand because my mother had colon cancer. I am very careful about this. I have a history in my family.

But if you had a policy that said the first $5,000 you have to pay for and went out and asked how much a colonoscopy cost, you would find in many places it is $3,000. There have been cases—a man from Illinois wrote me. He said: I didn't have the $3,000 so I skipped the colonoscopy.

Without health insurance, without coverage, without enough money to pay for that basic test, this individual is running the risk of developing a serious cancer that could claim his life or at least cost a fortune to take care of. That is what inadequate health insurance does to you. That is what no health insurance does to you.

At the end of the day, this bill will say, for the first time in the history of this great Nation, 94 percent of the people will have health insurance. Thirty million people today who have no health insurance will have it when it is over. Fifteen million will go into Medicaid because they are in low-income categories.

I met one of those people when I was back in my home State of Illinois. Her name is Judie. She works at a motel in Marion, IL. She is a hostess in the morning for their free continental breakfast—a sweet lady with a big smile on her face, in her early sixties.

She came up to me and said: Senator, I am not sure this health care reform is good for me.

I said: Judie, do you have health insurance?

She said: No, I've never had health insurance, and I'm a few years away from Medicare.

I said: If you don't mind telling me, how much money do you make?

She said: Well, they've cut our hours here at the motel because of the economy. I work about 30 hours a week now, and I make about $8 an hour. And she said: There isn't a person here you're looking at, working on this motel staff, who has health insurance.

I said: So does that mean your income each year is about $12,000?

She said: Well, I guess. It's the only job I have. I get by on it.

I cannot imagine how.

She said: I get by on it.

I checked into it, and I saw her the next morning before I checked out, and I said: Judie, under this bill we have, because you make less than $14,000 a year as an individual, you will qualify for Medicaid. For the first time in your life, you will have health insurance under an Illinois State Medicaid Program that you won't have to pay for because you are in a low-income category.

Well, she said: That's great because I have diabetes.

Think about that: age 60, no health insurance, low income, no doctor regularly available to her.

And she said: And I've had a few lumps I would like to get checked out too.

I thought: This poor lady. She is a classic illustration of what we are talking about in this bill. She is not lazy. She is a hard-working person. She gets up every day at the crack of dawn to be there to make sure people feel right at home at that motel, and she has no health insurance.

Ninety-four percent of the people in this country will have health insurance—people like Judie, who, for the first time in her life, will have health insurance. Is that worth something? Is it worth something in America for us to take pride in the fact that we are expanding the peace of mind which some of us take for granted of having health insurance coverage?

I think it is worth a lot. I think it is important for us and the critics to step up and acknowledge they have never come forward with a single proposal to deal with that issue—not one. We have never heard from the Republican side of the aisle how they would cover 94 percent of the people in America. They have never put together a comprehensive health insurance plan. They have never talked about submitting it to the Congressional Budget Office to make sure it does as promised, as we have.

They come to the floor with criticisms of what we are trying to do. It is their right as Senators to do that. But it is also our right to ask them the basic question: Does the fact that you do not have a Republican health care reform bill mean that you like the current system, that you do not want to change it? That is one conclusion.

The other conclusion is: This is hard work. Writing a bill that does this takes a lot of time and effort, and they have not put in that hard work. So they come emptyhanded to the floor with good speeches and good graphs and good press releases, but without good amendments to take care of the basic problems.

There is one other element in this health care reform bill too. How many times have you met somebody in your family or at work or through a friend who told you about a battle they had with a health insurance company when somebody got sick in their family? I have run into it a lot. A few years back, when I was a Congressman, in Springfield, they had a unique program where the Sangamon County State Medical Society would invite Members of Congress to accompany doctors on their rounds in a hospital.

The first time I was invited to do that, I called back and said: You've got to be wrong. You don't want me walking into a patient's room where you are talking about their private health situation.

They said: No, no, we ask permission. And it is interesting, people are bored in the hospital, and they are amused by politicians. So would you please come?

So I accompanied a doctor on his rounds. He was examining a nice lady in my hometown of Springfield, IL, who was suffering from vertigo, who had come to the hospital, and as a result of an x-ray, they discovered she had a tumor—a brain tumor—that needed to be removed. She lived by herself. She was falling down at home. He wanted to operate on her on Monday. This was a Friday. He wanted to keep her in the hospital because he was afraid if she went home she might fall, hurt herself, and he wanted her ready for surgery on Monday.

But before he could say to her: Be prepared to stay over the weekend, he had to call her health insurance company. I stood next to this doctor at the nurses station in St. John's Hospital in Springfield, IL, as this doctor was arguing with a clerk at a health insurance company somewhere in a distant location about why this woman needed to stay in the hospital, and the clerk was saying: No, we are not going to pay for it. Send her home. Bring her back on Monday for the surgery.

He said: I'm not going to do that.

The clerk said: Well, we're not paying for it.

He hung up the phone and turned to me and said: She's staying in the hospital. We'll fight this out later on.

Fight it out—those battles, those fights take place every day across America.

I have told the story on the floor here about a friend of mine—a great friend of mine—whom I have known since he was a young man. He is a baseball coach at Southern Illinois University. His name is Danny Callahan. Danny has been battling cancer for years. Danny is a young guy. He has a young family and a good wife, and he is a terrific guy from a great family. He has been battling cancer—chemo, radiation, even surgery, removing part of his jaw and trying to stop this advance of cancer.

His oncologist came up with a drug that is working. It is called Avastin. This drug is experimental. It works on some cancers. It is certified to work on them. But they found it works on others in an off-label application. The oncologist wrote to the health insurance company and said: This is working. We have stopped the spread of his cancer. We want to keep using this drug. And they said: No. It costs $12,000 a month, and we won't pay for it.

What is he going to do? You do not make a fortune as a baseball coach at Southern Illinois University. His family pitched in, borrowed some money to cover a month of treatment. He is going to have a trial in St. Louis at Barnes Hospital, connected with Washington University there. He is trying his best to keep this going, but he is battling this insurance company that said no.

This bill gives people whom I have described a fighting chance. It gives them a chance to fight against the discriminatory, wrong decisions of health insurance companies. Is that worth anything? Is it worth it? I have yet to see an amendment from the other side of the aisle that does this.

We used to call this a Patients' Bill of Rights, and it used to be a bipartisan issue. Senator JOHN MCCAIN joined with Senator Kennedy and the two of them worked on this, saying that patients in America should have the right to fight insurance companies that turn them down because of preexisting conditions, that turn them down because the cost of care is so high, that turn them down because they have lost their job or turn them down because their child reaches the age of 24. This bill provides protections for those people.

So when people say: I heard Governor Dean—I like him; Howard is a friend of mine; former Governor of Vermont; former head of the Democratic National Committee—wrote a big article in the Washington Post this morning and said: Vote against this bill. It is not everything I want it to be.

Well, Governor Dean, it is not everything I want it to be either. But how could we in good conscience explain to 30 million Americans who would have health insurance for the first time in their life—such as Judie down in Marion, IL—''Judie, I am sorry, we won't be able to get you health insurance this time around. We couldn't get everything we wanted.'' That is not a very compelling argument, from my point of view.

How do we say to people who want to have a fighting chance against insurance companies that say no—and will have the legal right to do that—''I am sorry, you are just going to have to continue to do your best fighting these clerks at health insurance companies who say no because this bill does not have everything in it that we want.''

You learn in this business of life and politics that concessions and compromise are critical parts of achieving a goal. Within the Democratic Caucus there are conservative and liberal or progressive members, and we have to find that sweet spot, that middle ground, where they come together. I think we have, and I am sorry we do not have any Republican support for this.

It is a fact, though, we have spent an entire year debating health care reform on Capitol Hill, and the sum total of Republican support for health care reform by vote comes down to two. One

Republican Congressman from the State of Louisiana voted for the House bill, and one Republican Senator, Ms. SNOWE of Maine, voted for a version of health care reform in the Senate Finance Committee. Not a single vote beyond those two in support of health care reform.

In fact, some take great pride in the fact that they are never going to vote for health care reform until it comes down exactly as they want it. We have invited them into conversation. In fact, my friend, the Senator from Iowa, who is on the floor here today, was part of a conversation with Senator BAUCUS and four other Members of the Senate that went on, I am told, for weeks, if not months, in an effort to find bipartisan, common ground, and they could not. I am sorry they did not. It would have been a better day if we had a real bipartisan effort before us. But I thank the Senator from Iowa for his genuine heartfelt efforts in trying.

But we come here today without a Republican alternative to health care reform. We come here today facing the reality that if we fail this time, we will not address health care reform, I am afraid, in my political lifetime or in the lifetime of many people following this debate. It took 16 years since President Clinton last offered an effort to try. If we wait another 16 or 20 years, I cannot imagine what is going to happen.

We know what is going to happen to health insurance premiums. Ten years ago, for a family of four, the average cost of their family health insurance premium was $6,000 a year—$500 a month. Pretty steep, right? The average cost today, for a family of four, for their family health insurance premium: $12,000 a year. It has doubled in a 10-year period of time, and it is going up so fast that it will double in the next 7 or 8 years to $24,000 a year.

Imagine working and earning $2,000 a month just to pay for your health insurance premium. That is it. Imagine how meager that coverage is going be because each year you know what happens. The cost goes up and coverage goes down. What will it be 10 years from now? If you talk to people who are negotiating for contracts, such as labor unions, all they talk about is health insurance. They do not talk about wage increases. They talk about health insurance. Those are the issues that break down the negotiations and end up in work stoppages and strikes, it has become that contentious and that difficult.

Are we going to accept that? Is that the best we can do in America? I do not think so. Are we going to accept a strategy which says: We are going to slow down the business of the Senate to a crawl, or stop it, as they tried yesterday, in an effort to defeat even having a vote on health care reform?

Don't we owe the people of this country, at the end of this debate, a vote on health care reform? Shouldn't it be in a timely fashion?

Shouldn't we first pass this bill that funds our troops that is sitting on the floor here that passed the House 395 to 34? Why would we delay that funding of our troops in the midst of a war? Why don't we do that today before we break for lunch and say to our troops: ''We took care of you.''

I might add, in here there is a provision that extends unemployment benefits. Is there any doubt on the other side of the aisle that they will vote to extend unemployment benefits in the midst of a recession? The last vote we had was 97 to 0 on the floor of the Senate to extend unemployment benefits, and that was a few weeks back. I assume Republican Senators feel as Democratic Senators do, that in the midst of a recession, in the midst of the holiday season, we owe it to these families to try to help them out.

How could we in good conscience go home and celebrate Christmas or Hanukkah or whatever our holiday might be and say we want to be in the comfort and love of our families, to sit and have a glorious Christmas morning before the tree, and enjoy the blessings of this great Nation and the blessings of life, and then turn down the unemployed when it comes to their benefits? We could not do that in good conscience.

Why don't we do that today? Why do we wait until tomorrow? Why don't we say: Regardless of what your strategy is on health care reform, let's not shortchange the troops. Let's not leave them with any uncertainty. Let's not leave those unemployed with uncertainty as to whether they are going to get benefits they come to expect and deserve. I hope we can.

Mr. President, I ask unanimous consent to have printed in the RECORD a recent article published in the New York Times relating to the trauma of joblessness in the United States.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 14, 2009]

POLL REVEALS TRAUMA OF JOBLESSNESS IN U.S.

(By Michael Luo and Megan Thee-Brenan)

More than half of the nation's unemployed workers have borrowed money from friends or relatives since losing their jobs. An equal number have cut back on doctor visits or medical treatments because they are out of work.

Almost half have suffered from depression or anxiety. About 4 in 10 parents have noticed behavioral changes in their children that they attribute to their difficulties in finding work.

Joblessness has wreaked financial and emotional havoc on the lives of many of those out of work, according to a New York Times/CBS News poll of unemployed adults, causing major life changes, mental health issues and trouble maintaining even basic necessities.

The results of the poll, which surveyed 708 unemployed adults from Dec. 5 to Dec. 10 and has a margin of sampling error of plus or minus four percentage points, help to lay bare the depth of the trauma experienced by millions across the country who are out of work as the jobless rate hovers at 10 percent and, in particular, as the ranks of the long-term unemployed soar.

Roughly half of the respondents described the recession as a hardship that had caused fundamental changes in their lives. Generally, those who have been out of work longer reported experiencing more acute financial and emotional effects.

''I lost my job in March, and from there on, everything went downhill,'' said Vicky Newton, 38, of Mount Pleasant, Mich., a single mother who had been a customer-service representative in an insurance agency.

''After struggling and struggling and not being able to pay my house payments or my other bills, I finally sucked up my pride,'' she said in an interview after the poll was conducted. ''I got food stamps just to help feed my daughter.''

Over the summer, she abandoned her home in Flint, Mich., after she started receiving foreclosure notices. She now lives 90 minutes away, in a rental house owned by her father.

With unemployment driving foreclosures nationwide, a quarter of those polled said they had either lost their home or been threatened with foreclosure or eviction for not paying their mortgage or rent. About a quarter, like Ms. Newton, have received food stamps. More than half said they had cut back on both luxuries and necessities in their spending. Seven in 10 rated their family's financial situation as fairly bad or very bad.

But the impact on their lives was not limited to the difficulty in paying bills. Almost half said unemployment had led to more conflicts or arguments with family members and friends; 55 percent have suffered from insomnia.

''Everything gets touched,'' said Colleen Klemm, 51, of North Lake, Wis., who lost her job as a manager at a landscaping company last November. ''All your relationships are touched by it. You're never your normal happy-go-lucky person. Your countenance, your self-esteem goes. You think, 'I'm not employable.' ''

A quarter of those who experienced anxiety or depression said they had gone to see a mental health professional. Women were significantly more likely than men to acknowledge emotional issues.

Tammy Linville, 29, of Louisville, Ky., said she lost her job as a clerical worker for the Census Bureau a year and a half ago. She began seeing a therapist for depression every week through Medicaid but recently has not been able to go because her car broke down and she cannot afford to fix it.

Her partner works at the Ford plant in the area, but his schedule has been sporadic. They have two small children and at this point, she said, they are ''saving quarters for diapers.''

''Every time I think about money, I shut down because there is none,'' Ms. Linville said. ''I get major panic attacks. I just don't know what we're going to do.''

Nearly half of the adults surveyed admitted to feeling embarrassed or ashamed most of the time or sometimes as a result of being out of work. Perhaps unsurprisingly, given the traditional image of men as breadwinners, men were significantly more likely than women to report feeling ashamed most of the time.

There was a pervasive sense from the poll that the American dream had been upended for many. Nearly half of those polled said they felt in danger of falling out of their social class, with those out of work six months or more feeling especially vulnerable. Working-class respondents felt at risk in the greatest numbers.

Nearly half of respondents said they did not have health insurance, with the vast majority citing job loss as a reason, a notable

finding given the tug of war in Congress over a health care overhaul. The poll offered a glimpse of the potential ripple effect of having no coverage. More than half characterized the cost of basic medical care as a hardship.

Many in the ranks of the unemployed appear to be rethinking their career and life choices. Just over 4o percent said they had moved or considered moving to another part of the state or country where there were more jobs. More than two-thirds of respondents had considered changing their career or field, and 44 percent of those surveyed had pursued job retraining or other educational opportunities.

Joe Whitlow, 31, of Nashville, worked as a mechanic until a repair shop he was running with a friend finally petered out in August. He had contemplated going back to school before, but the potential loss in income always deterred him. Now he is enrolled at a local community college, planning to study accounting.

''When everything went bad, not that I didn't have a choice, but it made the choice easier,'' Mr. Whitlow said.

The poll also shed light on the formal and informal safety nets that the jobless have relied upon. More than half said they were receiving or had received unemployment benefits. But 61 percent of those receiving benefits said the amount was not enough to cover basic necessities.

Meanwhile, a fifth said they had received food from a nonprofit organization or religious institution. Among those with a working spouse, half said their spouse had taken on additional hours or another job to help make ends meet.

Even those who have stayed employed have not escaped the recession's bite. According to a New York Times/CBS News nationwide poll conducted at the same time as the poll of unemployed adults, about 3 in 10 people said that in the past year, as a result of bad economic conditions, their pay had been cut.

In terms of casting blame for the high unemployment rate, 26 percent of unemployed adults cited former President George W. Bush; 12 percent pointed the finger at banks; 8 percent highlighted jobs going overseas and the same number blamed politicians. Only 3 percent blamed President Obama.

Those out of work were split, however, on the president's handling of job creation, with 47 percent expressing approval and 44 percent disapproval.

Unemployed Americans are divided over what the future holds for the job market: 39 percent anticipate improvement, 36 percent expect it will stay the same, and 22 percent say it will get worse.

Mr. DURBIN. Mr. President, I am going to close by saying that for those who wonder if it makes any difference whether we move forward on the issue of helping the unemployed, they should read this article I have put in the RECORD. People across this country are not only worried about getting a job and taking care of their families, it has reached a point where it is dramatic. Some of them are making critical life decisions, spending their savings, with no health insurance to cover themselves or their kids.

I will ask the Republicans, who will follow me: Please, regardless of how long you want to talk today, agree with us that we should move quickly to fund our troops, send the money for those members of the military and their families to give them peace of mind we stand behind them. Do not make them part of any political delay and strategy that leaves uncertainty. Let's do it today. Let's not wait until the money runs out tomorrow.

Let's fund our unemployment benefits too. Let's give these families, who through no fault of their own are out of work, the peace of mind of knowing that as we go home for Christmas, they will at least have a Christmas which has, even if it is small, an unemployment check.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIODIESEL TAX CREDIT

Mr. GRASSLEY. Mr. President, I rise on the issue of jobs and 10 percent unemployment and to tell my fellow Senators what we can do to preserve maybe 25,000 jobs in an industry that, by the end of the month, will be otherwise shut down because Congress is not taking action. The main point of my remarks is, if we don't extend the biodiesel tax credit by the end of the month, these jobs will be lost.

My point is 23,000 jobs will be lost. In fact, right now, on December 17, companies are making plans to shut down these operations by the end of the year.

Everybody knows our unemployment rate is 10 percent. Everybody knows the President has spent a great deal of time, over the last 2 or 3 weeks, talking about creating jobs and getting us out of the recession. But we have to remember that for those without work, this is not just a recession, it is a depression.

We all agree we should take whatever action is necessary to jump-start our economy and get people back to work. President Obama and Vice President BIDEN have been talking for months about the need to create green jobs. Well, green jobs, purple jobs, whatever kind of jobs, jobs are jobs. I don't object to the creation of green jobs. In fact, what I am talking about is some of these green jobs.

President Obama has held three public events in recent days to highlight his concern about the economy and the need to create jobs. Yesterday, the administration apparently announced billions more in tax credits for renewable energy and energy conservation efforts. I will bet when I look at that list I am going to support most of those because I believe a national energy policy involves capturing whatever we can of petroleum and fossil fuels we have available for a short period of time because we are never going to get rid of them in the short term. We need conservation, and we need renewable and alternative energy. Those three things make a comprehensive energy program. Obviously, if I am for that comprehensive energy program, I am for renewable energy and alternative energy.

It seems as if nearly everyone, in fact, in the administration is touting the benefits of green jobs and a clean energy economy and I am doing that right now myself. It is astonishing, though, with all this talk about green jobs and clean energy that this Congress right now seems to be heading for the holidays while thousands of green energy workers will receive pink slips and furloughs.

On December 31 of this year, the current biodiesel tax credit will expire. The biodiesel tax credit provides a $1-per-gallon credit for biodiesel made from soybean oil and yellow grease and animal fats. The tax credit is essential in maintaining the competitiveness of this clean-burning, domestically produced green fuel and the jobs that are connected with it.

The tax credit exists for a commonsense reason and something we have been using for a long period of time: to offset the higher cost of producing biodiesel—or I could just as well insert the word ''ethanol''—compared to petroleum diesel. Without the tax credit, petroleum marketers will be unwilling to purchase the more expensive biodiesel and demand will vanish. From this standpoint of the tax credit, I hope everybody remembers that whether it is wind, ethanol, solar, biodiesel, biomass, or geothermal, it takes tax credits to get these programs off the ground. Right now, wind energy is a big industry in my State, not only from the production standpoint but from the standpoint of manufacturing of components because, in 1992, I got a wind energy tax credit passed; otherwise, we would not have wind energy and everybody touts wind energy today. It is a little bit like the very infant biodiesel industry we have. One might not think biofuels are an infant industry because ethanol has been around for 30 years, but biodiesel is about where ethanol was 30 years ago. So we want to help move this industry along so eventually it can stand on its own legs. That is the motive behind all these tax credits, to get an infant industry started and then they stand on their own.

In 2008, getting back to the jobs in this industry, biodiesel supported 51,000 green jobs. Because of the downturn in the economy and the credit crisis, the biodiesel industry has already shed 29,000 green jobs. So now what about the rest of those jobs? That is what my remarks are all about, and that is what getting the tax credit renewed before the end of the year is all about. Because the industry is currently operating at just around 15 percent of capacity. Without an extension of the tax credit, all U.S. biodiesel production will grind to a halt. Plants will be shuttered and workers will be let go.

No one should be surprised by the upcoming expiration of this tax credit. It was extended most recently in October 2008. So we have known for 14 months; hence, nobody should be surprised that it would need to be extended by the end of this year.

The Senate has been in session nearly continuously for months. Earlier this year, Senator CANTWELL and I introduced a bill to extend the tax credit for 5 years and change it to a production tax credit. There is no excuse for inaction on this credit. The Democratic leadership is content to leave without doing the necessary work on extenders, believing they can extend the tax provisions retroactively sometime early next year. Retroactivity does work a lot of times on tax extenders that are not extended at the end of the year and extended to be made retroactive. But retroactivity in the case of the biodiesel market doesn't help bring it from grinding to a halt on January 1, 2010, because without the incentive, the biodiesel will cost much more than petroleum diesel.

While the House and Senate dither, thousands will lose their jobs, but demand for dirty, imported petroleum diesel, however, will continue. Investments in the domestic renewable fuels industry will lose value and possibly disappear—quite to the contrary of what I said in my remarks of yesterday, the President announcing various tax credits. So this one has been on the books. All it has to be is reauthorized.

It is too bad that among all the talk of green jobs and the clean energy economy, Congress is unable to pass a simple extension of an existing tax credit. Once again, the actions of the majority do not match their words. For all the talk, they will have failed all those in the biodiesel industry working today to reduce our dependence upon foreign oil if we leave without extending this critical tax credit before the end of the year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, we have conferred with the other side of the aisle, and I think we have reached an agreement. I ask unanimous consent to be allowed to speak for up to 10 minutes, and then I believe two Senators from the other side of the aisle would like to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, it just shows we can do some things in a bipartisan way around here still, albeit small things.

We are talking about the Defense appropriations bill. I think it is important to point out that the majority leader has waited until the very last minute to bring up this very important bill, which I am sure will pass by a large majority, but it was 2 months ago that the fiscal year ended. The majority leader has now left us here 8 days before Christmas with a lot on our plate, a lot yet to do, and, of course, threatening to keep Congress here through Christmas—certainly up to Christmas. I would not say we are happy to be here, but this is a great responsibility. These are important issues, and none of us is going to shy away from dealing with these issues, albeit 8 days before Christmas.

It is also appropriate to talk about Christmas because this bill not only funds our troops, it is a Christmas tree on which Members of Congress have hung nice shiny little ornaments, provisions that have nothing to do with funding our troops and the Defense appropriations bill. As a matter of fact, this bill would actually create new entitlement spending programs—that is what some of these little shiny ornaments are—rather than fix the ones we have. It is significant. We are talking about our troops. At the same time, we are talking more generally about health care, because under Federal law TRICARE, which handles the reimbursement rates for health care for our troops and their families, is required under Federal law to follow Medicare reimbursement rates.

We know that under the underlying health care bill we will be considering up until Christmas, it looks like there are actually going to be $500 billion in cuts to Medicare. The concern is, if access to care is jeopardized for Medicare beneficiaries, which we know it will be for at least some—particularly Medicare Advantage beneficiaries—then cuts to TRICARE reimbursement rates could follow.

We also know this bill includes a 2-month bandaid for the Medicare reimbursement rate for doctors, the so-called doc fix. This is the sustainable growth rate formula which has never worked since Congress passed it in 1997. It shows Congress makes assumptions—this one back in 1997—that we are going to cut Medicare, and in this particular instance Medicare reimbursement rates for doctors and that somehow that will not have a negative impact on people's ability to find a doctor who will see them.

I know in Travis County in Austin, TX, at last report, only 17 percent of doctors will see a new Medicare patient, and it is even worse for Medicaid, which pays less than Medicare. So we know the cuts the underlying health care bill will make to Medicare are going to have a negative impact on access to care for many of our seniors, and because TRICARE rates are linked to Medicare rates under Federal law, they could well jeopardize our troops' and their dependents' access to care as well.

This experience we have had since 1997 under the Balanced Budget Act with the sustainable growth rate which, unless Congress acts, will actually cut reimbursement rates for doctors by 23 percent—and this bill provides a 2-month—a 2-month—fix—these assumptions have never worked. Yet this health care bill, at least the 2,074-page version—we have yet to see the Reid substitute, which will appear, I am sure, miraculously sometime around Saturday as the majority leader tries to cram this bill through before Christmas—we know it contains or will contain many other assumptions, such as this SGR formula that will prove unenforceable and will never work. Yet those will be used by the Congressional Budget Office to provide a cost estimate or score which may meet the demands of politics today but which will bear no relationship whatsoever to the ultimate costs. And the American people understand that. They understand the budget gimmicks of having a 10-year program and not implementing it until year 4 but starting the taxes to pay for it on day one. They understand that, and that is why they don't trust the Congress to be honest and transparent when it comes to spending their money—because of their unfortunate experience.

I also want to focus on other promises the President has made about health care reform which bear on the process by which health care reform and these bills are being considered—unfortunately, ways in which the Reid bill breaks those promises. This is one we have talked about before, but I think it bears repeating because the American people want us to read the bills before we vote on them. They want to be able to read the bills and to have them posted on the Internet so they can understand how this legislation will impact them and their families.

Here is what the President said:

> I'm going to have all the negotiations [the health care negotiations] around a big table. We'll have negotiations televised on C–SPAN, so that people can see who is making arguments on behalf of their constituents and who is making arguments on behalf of the drug companies or the insurance companies.

I see one of our colleagues on the floor, who is a chief proponent of an amendment that had to do with drug pricing. We all know it is the worst-kept secret in Washington, DC, that the drug companies have cut a special deal behind closed doors—not around a big round table on C–SPAN but behind closed doors—and many of us don't know the exact terms of this deal. We do know that while the big drug companies may be protected, the American people are not at the table while special interests are cutting deals that have not yet fully come to the light of day. I think this is a tragedy. There is no reason the President's promise cannot be kept, other than to try to run something by Congress and the American people before they have had a full opportunity to read it and understand what is in it.

This is exactly the kind of cynical act that breeds public skepticism about Congress and their elected representatives. We are elected by the people in our States to use our best judgment on their behalf, listen to them, and ask: What do you think about this? Tell me, as your elected representative, how do you think I should vote on these important issues? If we hide the substance of these cooked-up deals behind closed doors from the American people, no wonder the congressional approval

rating is so low. Unfortunately, promises such as this which are broken by the Reid bill do nothing but breed skepticism or cynicism on behalf of the American people.

The Washington Post reported last October that the first Reid bill was written in secret and ''behind closed doors.'' That is the 2,074-page bill we have seen stacked up on our tables. That bill, with sleight of hand, will be swept off the table and a new one will miraculously appear sometime on Saturday. That is the bill we are going to be asked to pass by Christmas—again, without anybody knowing what exactly is in it.

Of course, there is speculation among the press corps and the political class in Washington as to whether the majority leader will be able to get 60 votes on a bill. People are saying: Yes, I think he will get 60 votes. Others say: No, he is missing a few votes; he is not quite there yet. And we are talking about a bill most of us haven't even seen. How in the world can anybody tell their constituents they are for the bill or against the bill before they have had a chance to read it? It is mind-boggling. Yet we know these closed-door meetings are still going on—8 days before Christmas—to work on perhaps a new 2,000-page Reid bill.

I know some of our colleagues were irritated with our colleague from Oklahoma, who asked that the Sanders amendment be read before we actually considered it. Only in Washington, DC, would people be mad about knowing what is in a bill or an amendment before we are asked to vote on it. The American people want to know. They are being excluded, as are many of the rest of us who don't get to know what is being cooked up behind closed doors.

We know these private meetings continue. The President has had meetings with our Democratic colleagues from which Republicans have been excluded. We don't know what kinds of agreements or discussions were occurring behind those closed doors. Certainly, no C-SPAN cameras were allowed.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CORNYN. I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Mr. President, we need to have every single Senator look at what is in these bills before we are asked to vote on them.

Let me close on one last issue. The President has also said:

> First, I will not sign a plan that adds one dime to our deficits—either now or in the future. Period.

Unfortunately, because of this cynical attitude of Washington and of the political class in Washington toward the public generally, 74 percent of voters said they don't believe that. Seventy-four percent of voters, including 82 percent of Independents, are saying: We don't believe the President of the United States when he says the bill will not add one dime to the deficit.

One reason they might think that is because of what this Reid bill—at least the 2,000-page variety—says. The Chief Actuary for CMS says that pledge is ''unrealistic and doubtful.'' David Broder, one of the deans of the Washington press corps, said:

> These bills, as they stand now, are budget-busters.

I don't know what it is going to take before Congress wakes up and listens to our constituents and the American people. I guess it is going to take another election in 2010 or in 2012 where the American people get to hold us accountable because in the end the American people will get the kind of Congress they want and the kind of Congress they deserve. I hope it will be the kind of Congress that embraces the transparency pledges the President has made and, in reality, lets the American people know what we are doing here and asks whether they approve.

Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, it is interesting to listen to the discussion on the floor of the Senate. We hear a lot about what is wrong these days. For a moment, let me say that there is a lot right in this country as well.

We are in a deep economic recession. I understand that. This is the deepest recession we have seen since the Great Depression. It is a difficult circumstance. But this country has been in tough circumstances before. The American people are a resilient bunch; they pull themselves up and move forward.

I understand the angst and the concern across this country. I understand the debate in the Chamber about what is wrong. I would be the first to say I don't think either political party is a great bargain sometimes. Both of them have their faults.

I think of that Ogden Nash poem that goes like this:

> He drinks because she [scolds],
> He thinks she [scolds] because he drinks,
> She thinks while neither will admit what's [really] true that he's a [drunk] and she's a shrew.

Both political parties, it seems to me, have faults, but both political parties have also contributed to the well-being of this country.

When I hear people say nothing works in America—I answered phones at the front desk yesterday for a while to hear from callers calling in about various things. I heard it on many occasions because a lot of people on the radio and on TV are saying nothing works in America and there is nothing the Federal Government has ever done that works.

The Internet—what a wonderful invention in the life of our planet. Yes, that was created by the Federal Government. Going way back, we brought electricity to America's farms and unleashed a barrage of productivity in American agriculture. When you drive around with a locator on the dashboard of your car, that is a GPS satellite—that is the government as well. The Interstate Highway System that connects America—when you drive down big roads that are connecting all of America, that is the Interstate Highway System, suggested by President Dwight D. Eisenhower. What a remarkable thing.

I also think of the story I read a while back about those two little creatures that are crawling around the planet Mars, one called Spirit and one called Opportunity. Five years ago, our country sent both of them to land on the surface of Mars. They landed 1 week apart. They are dune buggy-sized mechanical creatures on the surface of Mars. We sent them up by a rocket. They landed encased in a shroud, and they bounced and the shroud opened up and these dune buggy-sized vehicles began driving on the surface of Mars. They were expected to last 90 days. Five years later, Spirit and Opportunity have been driving on the surface of Mars collecting samples. One of them—I believe Spirit—had an arm that looked as if it was arthritic, so it was hanging at an angle, almost like a salute. The wheel broke, and so they were dragging the wheel and creating a trench. The arm reached back, and the scientist—it takes 9 minutes to send up a signal—the scientist had the arm reach back and dig into the trench so they could get better samples on the surface of Mars. These dune buggies were running on the surface of Mars. Yes, that is the Federal Government and all the contractors.

When somebody said to me that the Federal Government has never done anything right, I said: If you ever get to the Moon, just check the boot prints. They are not Chinese or Russian; they are made by an American astronaut—the one who planted the American flag there.

There is plenty wrong in this country, to be sure, but there is a lot right about this country.

About 9 years ago, at the start of this decade, our country had a budget surplus. Poor Alan Greenspan, the Chairman of the Federal Reserve Board, wasn't able to sleep. He was worried that we were going to pay down the debt too quickly. I assured him he ought to go to sleep peacefully because that is not a problem.

President Bush came to town and said: We are going to do very big tax cuts because it is estimated that we are going to have very big surpluses. I was one on the floor who said maybe we ought not do that. Let's be a little conservative. These surpluses don't exist for the next 10 years yet. They existed that year for the first time in a long time in the year 2000—a budget surplus. President Bush said: No, we are going to begin very large tax cuts right now in anticipation of these surpluses in the future. Some of us said:

Be careful. The wealthiest Americans got very large tax cuts, especially.

Almost immediately, this country went into a recession, and 6 months after that, this country was hit with 9/11, an unbelievable terrorist attack. Almost immediately, we went into the country of Afghanistan to go after Osama bin Laden. Then, very quickly, we invaded Iraq. We were at war for the rest of the decade without paying for one penny of it. Not a penny was paid for those wars or the increased funding to deal with terrorist attacks.

Some of us went to the floor of the Senate and said: Let's begin to try to pay for some of this. Why should we send our men and women to war and decide we won't ask anybody to pay for it? They thought we will just have the kids and grandkids pay the cost. The President said: If you add this to the bill to pay for it, I will veto the bill. So here we are.

Then we see, at exactly the same time, regulators coming to town boasting that they were willing to be willfully blind and they would not look or see and they would not care. We had a bunch of big high fliers create unbelievably exotic financial industries, such as credit default swaps and liars loans for mortgages, and they steered this country right into a ditch while the people at the top were making a lot of money, causing economic havoc the likes of which we have not seen since the 1930s. Our revenue at the Federal Government dropped $400 billion because of the deep recession. Expenditures for unemployment, food stamps, and so on, which are caused to go up during recessions, increased substantially, and we have very serious economic problems. There is no question about that. I can recite the problems as well as anybody. But let's also, from time to time, recite the strength of this country. It requires leadership from all of us to put this country back on track. I am convinced we can. I am convinced we will do that. We need a little cooperation here and there. There is not much these days. But I am convinced all of us want the same thing for this great country, and perhaps we can come together even if we have different views of how to get to that common destination. I am convinced one of these days we will make some progress and put America first.

I wished to come today to talk about something that is happening half away around the world in Copenhagen. That is the issue of climate change and energy. Even as leaders around the world gather in Copenhagen to talk about climate change, I wish to talk about the energy legislation that addresses the issue of climate change. The energy legislation that was passed by the Senate Energy and Natural Resources Committee earlier this year is a real energy policy that also protects the planet by reducing greenhouse gas emissions.

We are not going to reduce greenhouse gas emissions because somebody signs a paper. We have a lot of environmental laws. Mexico is a good example. They have a lot of environmental laws on the books. They are just not enforced. Signing a paper is not going to mean much unless you have an agreement that makes sense for the planet and an agreement that is enforced and an agreement that is agreed to by virtually all the countries that are emitting a great deal of carbon.

I will tell you what will make a big difference; that is, for the Congress to pass the Senate Energy legislation, which truly does move us in the direction of addressing climate change.

That energy policy, by the way, is not some secretive policy. This past June we passed an energy bill out of the Senate Energy and Natural Resources Committee that does all the things I think we need to—or virtually all the things—address the issue of climate change and a lower carbon future. But it was not brought to the floor of the Senate or the House of Representatives because we are told energy legislation must be married or merged with climate change. I do not agree with that. We are going to have wasted a year, in my judgment, in which we could have debated the energy legislation on the floor of the Senate, and passed it into law by the signature of the President. This energy legislation maximizes the use of renewable energy, such as the building of the interstate transmission capability that would allow us to maximize renewable energy. The energy legislation would also establish a renewable electricity standard, the first one in the history of this country. The energy legislation would also retrofit buildings to make them more energy efficient, which would increase energy savings. I also offered an amendment to this legislation, that would also give us the ability to reduce our dependence on foreign oil by opening oil and gas production in the eastern Gulf of Mexico.

All these issues are in an energy bill that passed the Senate Energy and Natural Resources Committee on a bipartisan vote. Yet the benefits to this country from those energy policies that make a lot of sense, will not be available during this year, because those who are pushing for climate change legislation here say you have to do energy and climate change together.

I say this: I hope when we turn the corner and start a new year, that an energy bill that is bipartisan—Mr. President, I had indicated I wished to take 20 minutes today. I ask consent for the 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, the legislation that exists and is ready, in my judgment, could be signed by the President and already moving this country down the road. The deliverable for the President to go to Copenhagen could have been: Look what we have done in energy policy; we have taken the significant step in the right direction. Yet we are told that energy legislation has to move with climate change legislation.

I am not opposed to a lower carbon future. I am not opposed to trying to do something on climate change legislation. I have indicated I am not supportive of the trade piece of cap and trade. I have no interest in consigning to Wall Street the opportunity to have a $1 trillion carbon securities market that they could trade on Monday and Tuesday, and then they can tell us on Wednesday and Thursday how much we are going to pay for our energy. I have no interest in creating a carbon securities market.

There are a lot of things we can do, especially an energy policy at the front end—and I hope early next year—we will advance this country's energy security, No. 1, and advance this country's movement toward a lower carbon future.

I wish to put up a couple charts as I describe this. We must reduce our dependence on foreign energy, especially foreign oil. Seventy percent of the oil we use comes from off our shores. We sink straws in the planet and suck oil out. We suck out 85 million barrels a day, and one-fourth has to come to this country because of our appetite for oil.

You know what, when 70 percent of it comes from other countries—many that do not like us very much—that means we have an energy security problem. This Energy bill I have described, that has been out of the Energy Committee since June, and was passed on a bipartisan vote, reduces our dependence on foreign oil, increases domestic production, establishes a renewable electricity standard, and creates a transmission superhighway. By the way, in the last 9 years, we have laid 11,000 miles of natural gas pipeline in this country—11,000 miles. Do you know how many miles we have laid of high-voltage transmission lines interstate? Mr. President, 668. On this bill, I worked on the transmission piece with Senator JEFF BINGAMAN and others and we solved the issue of transmission.

We can get about the business of building an interstate highway of transmission lines so you can produce electricity where the Sun shines and the wind blows, put it on a wire and move it to where it is needed in the load centers.

This is not rocket science. This is rather simple. We already passed a bipartisan bill out of committee to do this. Electrification and diversification of our vehicle fleet is in the bill. The legislation also enhances energy efficiency in a wide range of areas, it expands clean energy technology, and the training of an energy workforce for tomorrow.

Every one of us gets up in the morning and the first thing we do is flick a switch and all of a sudden there is light. Then many decide to plug in a coffee maker or turn on the stove, turn on the radio, turn on the television set,

get in the car, put in a key, the engine turns on—all of this is because of energy, and that is before you get to work. No one even thinks about the role energy plays in our life. That is why it is important for us to understand we have a very serious energy security issue in this country. No. 2, we have a serious issue of the need to construct new kinds of energy and also to use the existing energy differently or produce energy differently and reduce carbon emissions.

I chair the committee that funds most of our energy projects. I chair the Senate Energy and Water Appropriations Subcommittee. It funds the energy and water issues, obviously. There is a lot going on, for example, that I think is so exciting that can unlock our opportunity to continue to use coal. Some say you cannot use coal. Of course, you can. Our science and our technology can clearly decarbonize the use of coal, which is our most abundant resource. Why would we not want to use coal in the future?

There are unbelievable things going on Dr. Craig Venter, a scientist not far from here, is working on this issue: developing synthetic microbes that underground would turn coal into methane. These microbes would consume the coal and turn it into methane. Pretty interesting to me.

There is a guy in California who has an idea, a patented idea I don't know if it works, but they insist it is the silver bullet. He takes the entire flue gas from a coal plant and he mineralizes it through some patented process he has. It does not separate CO_2. It mineralizes all of it and turns it into a product that is harder than concrete and more valuable than concrete and produces, as a result, the cost of carbon at almost near zero. Maybe that is the silver bullet. I don't know. There are dozens of examples like it that are very exciting and very interesting.

I started algae research after it had been discontinued for 15 years—single-cell pond scum, that green scum on the pond out on the farm—algae. You take the CO_2 that is released from a coal plant, feed it to an algae farm and grow algae. It increases its bulk in hours. Then you can harvest the algae and produce diesel fuel. Get rid of the CO_2 and produce a fuel. That is called value added. That is called beneficial use of carbon.

There are others now—Dr. Craig Venter is involved in this, along with Exxon—who have projects in which they create algae that excretes lipids directly. Instead of harvesting algae and destroying it for the purpose of acquiring a diesel fuel, it excretes lipids directly which, with very little manipulation, is a fuel.

One of the scientists with the Sandia National Laboratory talked about the development of a solar heat engine in which you put CO_2 on one side and water on the other and you fracture the molecules and thermochemically recombine them and you have methanol—water, CO_2, develop a fuel.

All these ideas are opportunities for us to continue to use coal and at the same time reduce our greenhouse gas emissions.

My point is, I think we ought to be doing a lot of everything with respect to producing a better energy future for this country and with respect to reducing the carbon in our future. I am not somebody who is a naysayer about climate change at all. I expect to be a part of discussions about how to reduce carbon in our future. But I do believe it will be a profound mistake if we do not advance the very policies we have the opportunity to advance in the Congress, in the Senate, the very policies that move us in the direction of reducing carbon and making us more energy secure.

To date, what we have had is all this breathlessness about you have to do a climate change bill right now and you cannot take up energy legislation until you take up climate change legislation. You know what, I do not agree.

I hope that high on the list of the agenda next year for this Congress is to say: We have a serious energy security problem and we have a serious issue with respect to carbon. Let's deal with both. If anybody believes this country can continue to have a 70-percent addiction for oil from foreign countries, they are dreaming. That is not something that will be sustainable in the long term. It undermines this country's economy to have that kind of addiction to foreign oil.

So how do we address this issue and fix it? We address it with thoughtful policies inside this country—to increase efficiency, increase conservation, increase production, and increase production in the right way that protects our planet. All these things are possible.

I guess I have spoken six or eight times on the Senate floor about these issues, not that anybody is listening so much I guess. But it is all health care all the time right now. Health care is not unimportant. I happen to think among the first things on the agenda is, A, financial reform which restores confidence. That was important because a bunch of high fliers steered this country into the ditch. We have to make sure people think that will not happen again; then, second, restarting the economic engine and putting people to work—jobs; third, dealing with energy which has to do with the very security of virtually everything we do to create jobs in this country. All these are important issues.

My hope is, when the calendar turns and January comes, we will have the opportunity to grab and seize the progress that was made in the Senate Energy and Natural Resources Committee, now nearly 6 months ago, to do the right thing for this country and to do the right thing to address climate change at the same time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I come to the floor on behalf of over 10,000 constituents from my home State of Washington who have sent me letters and e-mails over the past 6 months to tell me their stories and their struggles with our health care system.

I come to the floor on behalf of the thousands who do not have the time or who do not have the resources to write to me and ask for help but who are struggling as well.

I come to the floor on behalf of small business owners, parents, senior citizens, and people with preexisting conditions, people with insurance whose premiums are skyrocketing, and people without insurance who spend their nights praying they do not have an accident or fall ill.

These people are all worried about keeping their jobs or making a mortgage payment and for whom the cost of getting sick today or being dropped from their health care plan or opening their mail to see another premium increase is too much to bear. Those are the people who deserve a real debate and a real plan, not distortions or silly distractions, such as conversations about how many pages are in this health care bill. What is more important than the number of pages in this health care bill is the help within those pages for businesses and families across this country.

I have watched, day after day, as our colleagues on the other side of the aisle have come down to this floor. They have made outrageous claims. They have handed out reams of paper and stacked copies of the Senate bill on top of copies of the House bill to try and turn a serious debate into a sideshow. But if my colleagues on the other side want to focus on pages, fine, let's focus on pages.

Beside me is a photo of a woman named Doreen Kelsey. In front of Doreen is a stack of papers. Those are hundreds upon hundreds of pages of forms and rejection letters and appeals and denials from her insurance company. These are pages that have taken hours and hours to fill out and that have stood between Doreen's husband and the care he desperately needed.

I met Doreen at a roundtable I hosted in August in Spokane, WA, in my State. Doreen told me she is self-employed and isn't able to purchase her own health insurance because she has a preexisting condition. Now, luckily, she and her family have health insurance coverage through her husband Tony's employer. She told me she and Tony thought their family had good insurance coverage. But when he asked for a colonoscopy, they soon discovered the lengths to which insurance companies will go to deny, to delay, and to dispute the care families such as the Kelseys assumed were included in their coverage.

Their insurance carrier told them before they would pay for this preventive care, it would have to be approved by a primary care physician. After being delayed for more than a month because of

that requirement—and this whole stack of papers here—the colonoscopy ultimately confirmed their fears, and he was diagnosed with stage 4 colon cancer. With that diagnosis in hand, the Kelseys were determined to beat this terrible disease together, but rather than focusing on fighting cancer they were forced to fight their insurance company.

Doreen told me although they had faithfully paid their premiums throughout their entire working lives, now that Tony desperately needed life-saving treatment, he was in a constant struggle of paperwork with his insurance company to pay for even routine care. They weren't asking for anything new, they weren't asking for anything experimental, they were just asking for the care that a lifetime of paid premiums should have entitled them to.

The Kelseys assumed what most Americans do when they are paying for good health insurance. They assumed that while their insurance was expensive, it would be there for them when they needed it. Well, Doreen and her family, like many other American families and businesses, have come to find out that in our current health care insurance system, stability is sometimes nothing more than an illusion.

With each procedure and each battle, the Kelseys faced a new fight—more paperwork stacked on more paperwork, another appeal and another appeal. At one point, Doreen told me she had to appeal all the way to the State insurance regulator just to get a corrected explanation of benefits form—paperwork—from her insurance company. She told me they had to borrow thousands of dollars to pay doctors while their claims were tied up in what seemed like an endless appeal process—paperwork.

The Kelseys' insurance now costs more than their mortgage, and they are constantly worried that Tony's employer will drop that coverage. But, thankfully, she told me Tony is working hard and successfully battling his cancer. In the meantime, Doreen has successfully been battling her insurance company. But this isn't how our system should work. When we pass the Senate's health care reform bill we are debating, it will not be.

Let me tell everyone—and the Kelseys—how our bill will help them. First of all, our bill ends insurance company discrimination for pre-existing conditions, so Doreen will be able to purchase insurance on her own and not have to rely on her husband's employer. Doreen would also have access to a number of different plans through an exchange that we are setting up where insurance companies, for the first time, would have to compete for her business. Our plan would inject competition into the insurance market, and we know that will lower costs and give families such as Doreen's more choices.

Our plan also makes it illegal for insurance companies to drop people when they get sick, so Doreen and Tony wouldn't have to worry about losing their coverage at the moment they need it the most. Since we know that preventive care is critical to saving lives and saving money on health care costs in the long term, our bill ensures free preventive services under all insurance plans.

Our plan invests in prevention and in public health to encourage innovations in health care that prevent illness and disease before they require more costly treatment. It would have allowed Tony to get a colonoscopy when he first needed it so he could get his treatment started sooner.

Mr. President, we also know families deserve the security and stability of knowing that if they or their loved one do get sick, they will not be forced into bankruptcy to pay for the cost. Our bill restricts the arbitrary limits that insurance companies currently place on the amount of coverage families receive. It caps the total amount that insurance companies can make people pay out of pocket on copays and deductibles. And it eliminates the lifetime limits insurance companies can impose on coverage.

In addition to putting in place those important consumer protections that would help people such as Doreen and Tony, it will give families the stability and security they deserve and lower the cost of care so Americans such as Tony and Doreen would not have coverage that costs as much or more than their mortgage. We do that by putting in place premium rate reviews to track increases and crack down on excessive insurance company overhead costs.

When our bill passes—and I am confident it will, despite the delay and the delay and the delay that we are seeing on the other side of the aisle—insurance companies will no longer be able to hike up Doreen's premiums to pay for a bureaucracy they will then put to work battling her claims.

We also provide sliding scale premium tax credits—tax credits—for families who still can't afford coverage, which would help 450,000 people in my home State of Washington get the coverage they need.

Mr. President, the bill before us today—which some of my colleagues have sitting on their desks and they bring out here on a daily basis to show us the pages—will help families such as the Kelseys. That is what is within the pages of the bill they keep throwing at us. So I think, rather than talking about the number of pages in the bill, our colleagues on the other side of the aisle might actually want to talk about what is in the bill because right now, instead of debating the merits of bringing down costs or protecting families from losing the coverage when they get sick, our colleagues are actually spending time complaining this bill has too many pages.

I ask the Presiding Officer and my colleagues on the other side of the aisle to take a look at this photo of Doreen sitting next to hundreds and hundreds of pages of correspondence and appeals and fights with her insurance company. These are the pages we ought to be talking about. These are the pages that impact people's lives, and the Kelseys are the people we ought to be talking about.

So when my colleagues come down here and complain about the number of pages in our health reform bill—those pages that will help our families and businesses lower costs—I want them to think about the number of pages right here in front of Doreen. These are pages that have caused the Kelseys unimaginable heartache, and these are the pages that have come between them and the health care they paid for.

These are the numbers we ought to be focusing on—the 14,000 people who are losing coverage every day. These are the numbers we ought to be focusing on—the 51 million people who have no insurance. Those are the numbers we ought to be focusing on, not the number of pages in the bill.

Mr. President, we have to end the politics, end the delay and the partisanship. We need to end this obstruction because that is what the Kelseys faced every day, delay and obstruction. They are facing it again on the floor of the Senate. It is time for us to come together on this important bill and bring our businesses and our families the insurance reform they have been asking for. I hope that is what Americans will remember at the end of the day, that the pages in this bill are going to change their lives so they don't have to fight their insurance companies again.

Mr. President, we are here today in the Senate—nobody on the floor, just me talking about what we ought to be doing, and you in the Chair, waiting. Why? Because we have a Defense appropriations bill in front of the Senate. It is a Defense appropriations bill that needs to be passed by the end of this year. It needs to be passed so we can get back on the floor and pass our health care reform bill.

Some people on the other side of the aisle have decided that delaying this Defense bill will somehow help them delay this from ever being passed—the health care bill that would help Doreen and her family. Well, Mr. President, it isn't just about making a political point. What we are doing is having our soldiers—who are serving on the ground in Iraq, in Afghanistan, around the globe and here in our country—wonder what they are going to get for Christmas—a delay from the Senate?

The bill in front of us provides a 3.4-percent military pay increase. This is an All-Volunteer Force we have out there working for us. Many of them are away from their families this Christmas. They do not want to hear that the Senate is delaying passing this important bill that will give them the security they need because of political obstruction in order to delay a health care bill.

This Defense bill is critically important. It has very important support for our military and their families. It has passed through this Senate before, and we are ready now to make the final trip to the White House, which needs to be done, by the way, by tomorrow. So I hope our colleagues will not continue to delay. I hope they will allow us to move to final passage on this bill so our men and women who are serving us in the military and around the globe know there is a Senate who is working for them.

I have heard some of them on the other side complain that some things were added to the Senate Defense bill—that also need to be done by the end of the year, besides the Defense bill—such as making sure our families, whose benefits are running out for unemployment, or COBRA for health care insurance, get a 2-month extension. So should our Christmas present to them be: Sorry, you aren't going to get your small little help as we end this year. We want to keep that going for another 3 months during one of the worst economic times we have seen. So, of course, we put it in this bill.

Because of the obstruction on the other side, we can't get it through in a timely fashion. It has to be done by the end of this year. We are doing the right thing for our families. We are doing the right thing for our military by putting it in this bill and getting it done and to the President so we can finish our work.

Mr. President, these are all critical issues. We are all tired. We have been here day after day after day. It is time to get this done. Let me tell you why. Because Doreen and her husband are facing piles and piles of paperwork to care for her husband. They are fighting their insurance company. And all we have to do is put these bills in front of us, get them done, and provide some relief for America. I hope that is what we focus on, Mr. President. I hope we stop the deny and delay and obstruction that the Kelseys have had to fight with their insurance company. Let's move these bills and go home to our families for Christmas.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Illinois is recognized.

Mr. BURRIS. Mr. President, I also would like to make a few comments on the issue that is pending before this body and which has been debated and debated and debated, discussed and discussed and discussed. It is time to bring it to a meaningful and final conclusion.

As I address this Chamber today, we stand on the cusp of history. For many years, we have known that the American health care system is badly broken. Now, after nearly a century of debate, after 100 years of delay and false starts, this body is on the verge of laying the issue of health reform to a rest.

This bill represents the culmination of decades of hard work. Its course has been shaped by 11 Presidents and countless Members of the House and Senate. It has taken a long and winding path to reach this point. This legislation is a product of compromise and consensus, of give and take on both sides. It is not perfect; by no means is it perfect. But here we stand.

We have come further than any Congress in history on this issue. We have worked hard to craft a measure that can accomplish the goals of reform without alienating those whose support we need to pass this bill. Without a commitment to certain ideals, this bill would be empty and ineffective. But without a willingness to work together and achieve compromise, this bill can never become a political reality.

As responsible legislators, this is the fine line we must always walk. It is never easy. I applaud my colleagues for the fine work they have done at every step along the way. Still, not everyone is satisfied, so the work goes on. It is the genius of our Founding Fathers and the rules of this body that allow one Senator to keep debate alive so we can work, debate, write, rewrite legislation together. One Senator can do that under the rules of this body.

Some have suggested that we kill this legislation and start over. They suggest that we stop and come up with something new. They say without perfection we should give up on reform altogether.

I have spoken on the Senate floor, Mr. President. You know what my position has been. But giving up on this issue is not an option. So as my colleagues and I continue to move forward from here, I would like to make one thing very clear. After 100 years of debate, we have come too far and worked too hard to turn back now. Too many Americans are counting on us to make a decision on their behalf. They need it now. They don't need it tomorrow or next week or next month or next year or never—they need it now. Killing the bill would ignore those who look to us for help in their time of crisis. We cannot abandon them at this time. Leaving tens of millions of people without any health coverage at all is also unacceptable.

To all those who believe we should kill this bill I would say this: I understand their frustration, the impulse to say enough is enough. But our vote in this body on this bill is not the end of a path for this sweeping legislation, only a door to the next step of conference.

I have not yet seen the details of the legislation. I have not yet seen the CBO score. I have not yet seen the provisions that will earn my vote; namely, cost containment, competition, and accountability. It is only through keeping this legislation alive that we can continue our work to make this a more perfect document. I say we must continue to work on this document we have before us. We cannot kill this legislation and start over. We must keep working through this legislation, keeping it alive so we can continue—continue—to make this document what we want it to be. That is what we must do.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Mr. President, I speak today about the need for urgent action on the Defense appropriations bill. I shouldn't have to speak about urgent action on the Defense appropriations bill because this is the one area that is so important to the country and on which we should always operate as quickly as we can. I urge my colleagues on the other side of the aisle to stop their attempts to derail the health care bill and allow the Defense appropriations bill to move forward.

As always, I respect that my colleagues have different views. We have different views on all kinds of issues. We have all kinds of substantive differences. I am one of the people in this body who believe there are basic differences, and a lot of them are not political, they are about basic differences that separate us from being Democrats and Republicans. We can disagree on tactics and on principles, but I know my colleagues on the other side of the aisle support our troops, and the support of our troops should never be a partisan issue.

This bill funds more than $100 billion for operations, maintenance requirements, and military personnel requirements for our armed action in Afghanistan and Iraq. It provides more than $23 billion for equipment critical for protecting the brave men and women in uniform—and they are brave men and women and they deserve this. I know the other side of the aisle agrees with that. That is why we should move ahead on this bill. It funds more than $150 billion for the training of our troops, critical to our success. It is incumbent upon the Congress to ensure that our troops in Afghanistan, Iraq, and throughout the world have the resources they need to be safe, secure, and effective in the war zone.

This bill has been operated and worked on by both parties. It puts our troops first, with the necessary equipment and improved benefits for the military and their families. This isn't just about our troops; this is about the brave men and women who remain at home, the families who need the benefits—again, issues I know my colleagues on the other side of the aisle agree with. They deserve our support and they deserve it now.

In addition to providing a 3.4-percent pay increase for our troops, it also improves military health care and research, including for the very important psychological health, which is especially important, given the startling

rates of post-traumatic stress disorder. Everybody knows we must train and equip our troops, our men and women going into battle, but it is equally important—and everyone agrees with this, too—it is equally important to care for the troops and their families after they return home. That is what this bill does.

This bill is necessary, as it demonstrates solidarity with the troops and gratitude for the sacrifices they make on our behalf. It is an investment in our military, in our security, and in our future. That is why our House colleagues overwhelmingly agreed to it yesterday by a vote of 395 to 34 and why we must end these partisan delays to move this bill forward.

It is critical we pass the bill, and there is no good reason why our troops and military families should have to wait—especially in this holiday season—while the other side of the aisle is playing politics.

I support conducting a real debate on Afghanistan with a host of other military issues, but the current debate is not about substance, it is about politics. Our troops should come first and they deserve better. We should pass this bill without delay to give the military and their families the funding they need to do their jobs and to protect our Nation.

Thank you. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WEBB). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE FRAUD

Mr. KAUFMAN. Mr. President, I rise to discuss health care fraud. Earlier this month, I introduced, along with Senators LEAHY, SPECTER, KOHL, SCHUMER, and KLOBUCHAR, an amendment that will protect our increased national investment in the health of Americans by improving fraud enforcement. Everyone believes in fraud enforcement, and this amendment does that.

It is no secret fraud represents one of the fastest growing and most costly forms of crime in America today. In no small part, our current economic crisis can be linked to financial fraud, starting with unchecked mortgage fraud generated by loan originators, through securities fraud that hastened the eventual market crash and maximized its impact on Main Street and average American investors.

In response, this body passed the Fraud Enforcement Recovery Act, FERA, which directed critical resources and tools to antifinancial fraud efforts.

FERA was passed in response to an unprecedented financial crisis, but Americans should expect Congress to do more than simply react to crises after their most destructive impacts have already been felt. We owe it to our constituents to identify and address problems when they arise so we can prevent disaster rather than just trying to figure out how to clean up after it happens.

In undertaking comprehensive health care reform, we must be proactive in combating health care fraud and abuse.

It is hard to believe, but each year criminals drain between $72 billion and $220 billion—that is billion dollars—between $72 billion and $220 billion from private and public health care plans through fraud, increasing the costs of medical care and health insurance and undermining public trust in our health care system. We not only lose the money, we lose the trust people have for the system that the system works.

We pay these costs as taxpayers and through higher health insurance premiums. This amendment will provide needed tools to reduce those costs through effective investigation, prosecution, and punishment of health care fraud.

It is pretty clear that as we take steps to increase the number of Americans who are covered by health insurance and to improve the health care system for everyone, we must also ensure that law enforcement has the tools it needs to stop health care fraud.

The Finance and HELP Committees, as well as leadership, have worked long and hard to find ways to fight fraud and bend the cost curve down. They have done a great job. However, there is more work to be done, and this amendment is an important additional step.

This amendment makes straightforward but critical improvements to the Federal Sentencing Guidelines, to health care fraud statutes, and to forfeiture, money laundering, and obstruction statutes, all of which would strengthen prosecutors' ability to combat health care fraud.

First, this amendment directs a significant increase in the Federal Sentencing Guidelines for large-scale health care fraud offenses.

It is really kind of strange, but despite the enormous losses in many health care fraud cases, analysis from the U.S. Sentencing Commission suggests that health care fraud offenders often receive shorter sentences than other white-collar offenders in cases with similar loss amounts. So people basically feel you can do health care fraud and get away with it and you will not pay a major price. According to statements from cooperating health care fraud defendants, many criminals are drawn to health care fraud because of this low risk-to-reward ratio.

As we have an incredible expansion of health care that will go forward, with more funds, we know criminals out there think this is easy. They think: I can go out and commit fraud. It is a very complex process, but I commit the fraud. My chances of getting caught are not that great, but even more, I have an added bonus that, if I get caught, I will not get much of a penalty.

That is why we need to ensure these offenders are punished not only commensurate with the costs they impose upon our health care system but also at a level that will offer a real deterrence. These folks believe they can engage in health care fraud and even if they get caught they will not have much of a penalty. Our amendment directs changes in the sentencing guidelines that, as a practical matter, amount to between 20 and 50 percent for health care crooks stealing over $1 million.

In addition, the amendment updates the definition of ''health care fraud offense'' in the Federal Criminal Code to include violations of the antikickback statute, the Food, Drug, and Cosmetic Act, and certain provisions of ERISA.

These changes will allow the full range of law enforcement tools to be used against all health care fraud.

The amendment also provides the Department of Justice with subpoena authority for investigations conducted pursuant to the Civil Rights for Institutionalized Persons Act, also known as CRIPA.

It is hard to believe, but under current law the Department of Justice must rely upon the cooperation of the nursing homes, mental health institutions, facilities for persons with disabilities, and residential schools for children with disabilities that are the targets of CRIPA investigations. You can figure out that in most cases these targets will cooperate, but sometimes they may not. The current lack of subpoena authority puts vulnerable victims at needless risk.

Finally, the amendment corrects an apparent drafting error by providing that obstruction of criminal investigations involving administrative subpoenas under HIPPA—the Health Insurance Portability and Accountability Act of 1996—should be treated in the same manner as obstruction of criminal investigations involving grand jury subpoenas.

As we consider and debate meaningful health care reform, we must ensure criminals who engage in health care fraud, and those who think about doing so, understand two things: If they engage in health care fraud, they are going to be faced with swift prosecution by more prosecutors and more folks who enforce the law, and when they are found guilty, they will face substantial punishment.

These commonsense provisions should be a central part of health care reform. I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mrs. HUTCHISON. Mr. President, I rise today to speak about the health care bill that is pending. The Department of Defense bill is also pending. It is the business we have on the floor today. I have no doubt that at the appropriate time there will be a vote in support of funding our troops. I know that may come on Saturday after the time for debate has run out.

I want to talk about the health care issue because it is the reason we have been here for really most of the last month—voting every Friday, Saturday, and Sunday—is to talk about the health care bill, debate the health care bill, ensure the American people know what is in this health care bill, and ensure people start looking at the effect it is going to have on their businesses and their families. I can't think of anything we have ever voted on in this body since I have been here that will affect people's lives in such a personal way.

I have tried to look at what is good in the bill, and then I look at what I don't like in the bill, and I have to say the scale is very heavily tilted toward what I don't like.

In fact, I had a tele-townhall meeting, which is a new capability we have to talk to people. It is a wonderful way to be able to reach out in your State to people who are interested in asking questions and actually call them and let them ask their question. At all times during the tele-townhall I had last night, there were over 6,000 people who were in and out of that tele-townhall meeting. I was very pleased because every single question was a real question, a real person. One man who called is on kidney dialysis treatments. He has very high drug costs and high expenses. Then we had people on Medicare asking how the cuts in Medicare would affect their treatment and their care. Then we had small businesspeople who are scared to death of having more burdens, more taxes, and more mandates on their small businesses. Some were almost screaming into the phone: But don't people realize how hard it is to make ends meet right now for small business? Don't you all realize we are trying to stay afloat while we are in one of the worst recessions of our lifetime?

Of course, I assured them I do understand that. That is why I am trying to amend this bill, trying to change it, trying to encourage my colleagues on the other side of the aisle that we should really start over and try to have a health care reform bill that does three basic things.

We want a bill that actually lowers the cost of health care. Right now, the bill before us will increase the cost of health care. The cost of the bill that is before us today, if you start with when the bill takes effect, which is 2014, and you go 10 years out, you are looking at $2.5 trillion in costs.

We have a debt of $12 trillion in America right now. Those numbers are staggering. We used to be worried about $12 billion, $15 billion, and $100 billion; now we are talking about trillions of dollars. We are talking about $12 trillion in debt right now. The idea that we would put $2.5 trillion more in this health care bill, which mandates taxes, to offset some of it, to businesses, employers, and families, is unthinkable. It is unthinkable in good times, but in the bad times we have now, it is absolutely unthinkable. Here we are now talking about this bill that will increase the debt and increase taxes and mandates.

In talking with the people of Texas, I did a little poll on the tele-townhall. I said: Register in, punch 1 for yes, 2 for no, and 3 for undecided. I asked: Do you support the bill that is before us today? If you say yes, press 1; no, press 2. Eighty-one percent instantly started registering against this bill.

I was listening to my colleague, Senator BARRASSO of Wyoming. He also had a tele-townhall meeting for Wyoming. Many Senators are doing this now. He had a couple of thousand people on the call. Ninety-three percent who registered on the poll were against this bill. My colleague from Nebraska, Senator JOHANNS, said the polls in Nebraska are overwhelmingly against this bill.

People are listening to the debate, reading the newspapers, getting every bit of information they can, listening to the tele-townhall conference calls, they are asking their questions, and in unprecedented numbers they are registering their interest and their overwhelming rejection of this bill.

I talked about what is in this bill and what we could have. Instead of $100 billion in new taxes, which would start next month, we could step back and say we are not going to put new taxes on businesses and families and companies before the bill even takes effect. In fact, Senator THUNE and I had a motion that was rejected on the floor. It was tabled yesterday afternoon. It would have done exactly that. Very simply, if the bill is going to pass, at least don't start the taxes until there is some program available that is as a result of the bill. It is very simple and clear. That was our motion, and it was tabled, with only 41 Senators saying yes, so we lost the motion.

It is of great concern to us that the tax increases in this bill start next month—we will have over $100 billion in new taxes starting next month—and that the 40-percent excise tax on premium health care coverage policies takes effect in 2013 but the bill doesn't take effect until 2014.

That is the bill we are debating today, which an overwhelming number of American people are rejecting. They don't want taxes, mandates, and they don't want the government to step between them and their doctors. They want the physician-patient relationship that is the hallmark of American health care. It is what makes us different from most other countries in the world—that we don't have government standing in the way and most of our private plans don't say: No, you can't have this treatment because you are too old or you are not fit enough, or having the government say: Here is who is qualified for this procedure. That is not the health care we have known in America.

We are for health care reform that lowers the cost of health care in our country, and more people will have affordable options. There is a part of this bill that could provide that. It doesn't mean a government takeover. We don't need a government takeover. That is why you have all the taxes and mandates, because it will cost so much that taxes and mandates are the way the majority is putting forward to pay for this expensive government takeover.

Why not have the health care exchange without all the mandates so there would be a free market on the exchange with no cost that would allow people to have choices? The insurance companies would come forward and there would be high-deductible plans for people who wanted high-deductible plans, and there would be low-deductible plans that would be more expensive, but some people would prefer to have that. You could make your choices among the plans that would be put on an exchange that would be open, transparent, and competitive. You would have bigger risk pools and, therefore, lower premiums would be the result.

Talking about what Republicans wish to see in health care reform and asking the majority if we could stop going through every weekend with one vote on Friday, one vote on Saturday, one vote on Sunday so that we are not able to do anything with our families during this holiday season, instead why don't we step back and say we will come back after Christmas or whenever the majority wishes to come back and say: Let's sit down in a bipartisan way, and let's have three principles in a health care reform bill. No. 1, we would lower the cost with the exchange, bigger risk pools, lower costs. No. 2, how about tax credits for every individual or family who would buy their own policies because they don't have access through an employer or if they are going to go on this exchange that would not cost anything, they would be able to have a tax credit to buy their own health care coverage. That would increase the number of people insured in our country, much larger than we are looking at today with a big government-run plan, which is said to increase the number of insured 31 million, but leave 24 million uninsured. We could get 31 million with the free market working.

No. 3, what about medical malpractice reform? We could take $54 billion out of the cost of health care by having frivolous lawsuits curbed with some kind of reasonable limits on damages or attorneys fees that would allow

people to get some compensation for a transgression, but not something that is going to raise the cost of premiums so high for doctors and hospitals that they have to order more medical tests and that raises the cost of health care across the board.

Those would be the principles we could support. Let's start again after Christmastime and do a rational proposal that the American people would accept.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, is it any wonder that people are responding negatively when asked, Do you support health care, when they have been bombarded with millions of dollars of TV advertisements that are not telling what this health care bill does?

Is it any wonder when they hear comments such as this health care bill will not save the American consuming public on their health insurance premiums? What does it do?

Can you believe that it is not going to allow insurance companies to cancel your policies?

Can you believe that it is not going to let an insurance company come up with some kind of fictitious excuse that you have had a skin rash and, therefore, you have a preexisting condition and they are not going to insure you?

Can you believe that it is going to bring in 31 million new people who are going to have health insurance who did not have health insurance before, and that all the rest of us paid for when they showed up at the emergency room?

Can you believe that this health care bill is going to bring down the cost of Medicare over the course of time and is going to save Medicare instead of Medicare running out of funds in about 6 or 7 years?

Can you believe that by creating a health insurance exchange for the private marketplace for private health insurance companies to compete for that available exchange of people who want to buy health insurance there, it is going to bring down their health insurance premiums from what they would otherwise pay?

You probably say it is hard for me to believe that because of all the negative I have heard. But that is exactly what the experts tell us this bill is going to do. And, oh, by the way, it is going to do one more thing. Over 10 years, this bill is going to reduce the deficit by $130 billion. Can you believe that? Not if you have been listening to all the stuff that has been thrown around about how bad the bill is. But that is the tactic. That is the tactic of ''in your face,'' ''oh, ain't it awful.'' It is time the real story gets out.

You know what will happen? When this bill is passed and it is finally signed into law by the President, then the real story is going to get out and people will know. In the meantime, I wish that in the Senate we could have closed the doughnut hole. The doughnut hole is the gap in coverage for Medicare recipients where they have to continue to pay premiums for Medicare but they receive no drug coverage whatsoever.

Under current law, a Medicare beneficiary will pay up to $310 for their drugs, which is the deductible, and then they pay 25 percent of their drugs up until they have paid out a total out of their pocket of $940. Above that, they hit the dread doughnut hole and they continue to pay premiums, but they receive no help from Medicare for their drugs all the way up to a much higher level. There are 3.5 million people who hit that dread doughnut hole.

Each year, because of the formulas, the doughnut hole grows bigger and it is compounded by higher and rising drug prices. We have seen that the pharmaceutical industry has raised their prices 9 percent. These out-of-control increases in prescription costs are hurting our folks and especially seniors on fixed incomes.

It is no secret that I wanted to fill the doughnut hole. It is not going to happen. But what is going to happen when this gets into conference with the House of Representatives—in fact, there has been a commitment by the majority leader, there has been a commitment and a statement by AARP, which has a significant interest in this legislation, there was a pledge on this floor by Senators REID, BAUCUS, and DODD to close the doughnut hole. I suspect that what has happened is, they have gotten the agreement of the pharmaceutical industry to help them close that doughnut hole once we get into the conference committee with the House of Representatives.

But first, we have to get the bill out of here. That means we have to stand up and push back all of this nonsense and misinformation that is coming about this bill.

What does it do, to recapitulate. It lowers the cost of Medicare over time. It gives a reduction of the Federal deficit. It allows insurance for people who do not have it to be available and affordable and they cannot cancel or use some flimsy excuse to cancel. It will utilize the private marketplace in which to make this happen. This is an American story, and it is going to be an American success story.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, as I contemplate the task ahead of us between now and Christmas to consider this huge change—some might say radical change—in our health care system, I am reminded of an oath that doctors take called the Hippocratic oath, which basically is, first, do no harm. In other words, you don't want to kill the patient when you are trying to cure them of cancer. You don't want to disable a patient, make their condition actually worse than trying to help them. I think it would be advisable if Congress took a Hippocratic oath, and nowhere is that more appropriate than when talking about health care.

We ought to make sure whatever we do, we don't make things worse. Yet the underlying health care bill, the Reid bill, makes things worse. I will talk about that in detail.

We all agree health care reform is needed. Some of us have different ideas about what reform should look like. We know health care premiums have more than doubled in the last 10 years for American families and that health care costs typically rise at two or three times the rate of wage growth. We also know this is all unsustainable. We can't keep doing what we are doing. Republicans and Democrats agree on the nature of the problem. The question is, What is the cure? What are we going to do to make it better? Are we, perhaps, due to inadvertence or unintended consequences, actually going to make things worse than they are now?

The Reid bill, the health care bill that will be considered along with a substitute that has been negotiated behind closed doors and which we haven't seen, the basic Reid bill would actually increase premiums by $2,100 for American families purchasing insurance on their own.

I would like to recall the words of President Obama as he was describing his bill. He said:

> I have made a solemn pledge that I will sign a universal health care bill into law by the end of my first term as president that will cover every American and cut the cost of a typical family's premium by up to $2,500.

Yet this bill breaks President Obama's pledge because for an average American family buying their insurance on their own, it would raise their premiums by $2,100. According to the CBO and the Joint Committee on Taxation, all of the new taxes—the tax on health benefits, if you have so-called Cadillac plans. I had three firefighters from Texas in my office 2 days who said: Please don't let them tax our health care plans. We have negotiated those in lieu of wage increases. We accepted lower wages because we wanted a better health care plan. Now you are going to tax our health care plan. That is just not right.

We know those taxes on medical devices, on health insurance, whatever they may be—on prescription drugs—eventually will find their way back to the consumer. It is sheer fantasy to think these companies are just going to absorb those taxes and those cuts and they would not have an impact on

the price to the consumer. That is why rather than bending the cost curve down, making health care more affordable, this will actually make it worse.

A new independent study by Oliver Wyman found that the Reid bill would actually increase insurance premiums for people with insurance. Again, I thought the purpose of health care reform was to bring costs down through managed care, medical homes, accountable care organizations, delivery reform, medical liability reform, parity of tax treatment, increased competition across State lines. Those are the kinds of things this bill does not do which would actually have some hope of bending the cost curve down for the average American family.

This study by Oliver Wyman found that the Reid bill would actually make people's insurance premiums go up. This study said premiums would go up by 54 percent—in my State of Texas, by 61 percent—for Americans purchasing health insurance on their own. In other words, it is not employer provided. They would have to go out in the marketplace, if you are a small business man or woman, and buy insurance or if you are an individual buying health insurance, this will make your premiums go up by 61 percent in Texas and 54 percent across the Nation. So an average family of four in Houston would see their premiums more than double to $1,352 a month.

Is that the kind of health care reform we thought we were signing on to when we engaged in this debate? It certainly isn't what I call health reform. This is not what my constituents in Texas call health reform, to double the premiums for an average family of four in Houston. That just makes things worse. Premiums could go up 20 percent higher for small businesses struggling to provide benefits for their employees.

The worst part about this is that these kinds of so-called reforms have been tried before. They failed miserably. For example, in New Jersey and New York, both tried the kinds of mandates, community ratings, guaranteed issue—these other things that sound a little arcane but which have had the impact of skyrocketing premiums in those States and causing insurance companies to leave the market. Rather than bearing these financial and regulatory burdens, many of them say: We are out of here—leaving people with less choice and higher premiums.

Then there is the Medicaid-Medicare cost shift. For example, Medicare pays about 80 percent of what private insurance does to a doctor or a hospital, Medicaid even less. So these providers have to make it up somewhere else. What they end up doing is charging more to people with insurance. That is what the cost shift is all about. According to one study, that cost shift means higher premiums of about $1,800 a year for the average family. About half of that comes from Medicaid alone. Yet the Reid bill includes the biggest expansion of Medicaid since the program was created in 1965. And lest we forget, Medicaid is a joint Federal-State program. By expanding the coverage of Medicaid, we are basically imposing an unfunded mandate on the States.

In my State, a State of 24 million people, this Medicaid expansion will result in a $20 billion unfunded mandate imposed on State taxpayers that the Federal Government is not going to help them out with, $20 billion over 10 years.

The American people intuitively know all of this. A new Washington Post-ABC poll came out this week that found that most Americans, 53 percent, believe Washington's health care bill will actually increase their costs. Small businesses know this is true. According to a letter I received from the National Federation of Independent Business:

> The Patient Protection and Affordable Care Act, which is short on savings and long on costs, is the wrong reform at the wrong time and will increase health care costs and the cost of doing business.

Why in the world would we impose additional costs on small businesses at the same time we are trying to get small businesses to create jobs to try to get our economy to come back? We know that small businesses are the engine of job creation. Now we are just going to impose more costs, more higher premiums on them. What is that going to do? That will discourage them from keeping employees they have in a tough economy and perhaps not hiring new people, when we want to do everything we can to bring down the 10 percent unemployment rate.

In Houston, TX, according to one small business owner:

> The proposed health care bill is going to have a negative impact on my business because the cost of employee health insurance will go up. I don't believe what some are saying that the costs will go down. This bill does not make economic commonsense.

One thing about common sense is, as you find out the older you get, it is not too common. This bill simply defies the explanation that some have given to it that it will actually make things better rather not worse. My constituents, small business owners, everyone understands that the pressures put on premiums and costs is going to make things worse.

Here is a chart that shows that from the time this bill is passed until 2016, we will see a huge increase in premiums for businesses and individuals as well—large businesses, small businesses, individuals. Americans know this is going to make an unsustainable status quo even worse. Yet the President and the majority——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CORNYN. I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. In my capacity as a Senator from Alaska, I object.

Mr. CORNYN. I thank the Senator for his courtesy.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for an additional 5 minutes.

The PRESIDING OFFICER. In my capacity as a Senator from Alaska, I object.

Mr. CORNYN. Mr. President, may I inquire of the Chair, is it the intent of the Presiding Officer to prevent any Senator from speaking on the floor on this important bill? I am looking around. I don't see any other Senator waiting to speak. I simply would like an explanation of the Chair's ruling.

The PRESIDING OFFICER. I release my objection.

Mr. CORNYN. Mr. President, the Congressional Budget Office has said—this, of course, is the nonpartisan office which is tasked with the job of scoring or determining the cost of these bills before us—the CBO has opined that the Reid bill will result in 90 percent of Americans seeing the same unsustainable premium increases as they currently do year after year or, in some cases, even higher. If we are going to spend $2.5 trillion over 10 years, if we are going to cut Medicare by half a trillion dollars, if we are going to raise taxes by another half a trillion just to have no impact for 90 percent of Americans and for the others to actually see premiums go up, it strikes me that this is a solution in search of a problem.

The problem is, we know the premiums are too high, costs are too high, and we need a better answer than is being proposed by the Reid bill.

The Congressional Budget Office estimates that families who get their health care through small businesses or large employers will see their premiums go up under this bill. The new ideas we have seen offered by our friends on the other side are designed to score political points but are not aimed at solving problems.

For example, one of our colleagues, the Senator from Arkansas, offered an amendment to cap compensation for insurance executives and argued that it would actually lower premiums somehow miraculously. We asked the Congressional Budget Office whether that would have any impact on premiums. It said the impact would be negligible. So what is the point?

We have heard a lot about repealing the antitrust exemption for health insurers. The CBO said while that may be a feel-good sort of provision, that it would actually make premiums higher and make things worse.

The CBO concluded that by enacting the legislation, it would have no significant impact on the premiums that private insurers would charge for health insurance. They also noted that to the extent insurers would become subjected to additional litigation, their costs and their premiums charged to consumers might increase.

We have also heard from some of our colleagues about their cost containment ideas, a group of Democratic Senators who offered an amendment. I

think it does have some good ideas in it, but it only saves $200 million, not an insignificant amount of money, but in a $2.5 trillion bill?

So the bottom line is, this bill spends $2.5 trillion to increase premiums or, at best, maintain the status quo. That is not health care reform. We should reject this bill and start over with a step-by-step approach that will actually solve the problems confronting the American people.

We should not accept, no matter what the crush is before the Christmas holidays—these last 8 days of this year—we should not accept a bill that cuts $½ trillion from Medicare, which cuts benefits from Medicare Advantage beneficiaries—one-half million of whom live in Texas; there are 11 million total—we should not accept a bill that raises premiums for many Americans, and we should not accept a bill that puts crushing new taxes on small businesses when unemployment is at 10 percent.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I rise with my colleagues, Senator LIEBERMAN and Senator WHITEHOUSE—who are on their way to the Chamber—to discuss an amendment to strengthen and improve the independent Medicare advisory board included in the underlying bill.

I firmly believe creating an independent authority to help Congress make informed decisions about reimbursing Medicare, getting away from a fee-for-service system, and making it based upon the cost which is incurred—but also the quality which now has to be required: evidence-based outcomes—that is the direction Medicare, all of health care, has to go.

These are not just cost decisions but quality decisions. I think it is critical to sustaining our program and the promise we made to millions of seniors that we would do right by them and still keep Medicare affordable, keep the trust fund solvent. It is meant to go broke in 2017. That does not help hospitals, doctors, Medicare beneficiaries, or anybody else. So we have to keep that in mind as we talk about this issue.

I applaud Leader REID for his bold leadership in including this advisory board in his underlying bill. It is a very strong step forward.

In their May report this year, the Medicare trustees determined, if we do nothing, the Medicare trust fund will basically go insolvent in 2017. In health care terms, that is like next February.

It is abundantly clear if we fail to put Medicare on a path of fiscal sustainability, this incredible program—and the security it means for seniors in my State of West Virginia and in the Presiding Officer's State of Alaska and people everywhere; and the disabled, who are, unfortunately, often forgotten—it will be in tremendous danger. We cannot allow that to happen.

So what does this amendment do? If we are serious about protecting Medicare's future, we have to be serious how we handle Medicare, how we allocate it, and use it as a reimbursement and quality tool. So this amendment includes a number of changes to do exactly that.

The most important change: This amendment eliminates a significant loophole in the underlying bill; that is, it eliminates the carve-out which was created by some for hospitals and other providers. I repeat, it eliminates the carve-out.

The carve-out now comprises about 60 percent of all Medicare. So it is a sham. It has to go or else Medicare is in deep trouble. I wish to talk about this a little bit.

We protect the board's integrity. In fact, we give the board integrity and we give them authority. Congress, right now, has the sole authority to change Medicare's cost curve. Yet as the ranks of lobbyists grow and prey upon Members of the House and Senate—it is amazing the relationship between how the cost of Medicare grows and their activities.

Let's be quite honest about it. This is not a politic thing to say, but it is the truth. Probably about 12 percent of the Congress understands health care down to the wee depth that is needed to be able to decide on the reimbursement procedures, the quality outcomes procedures, which we use to reimburse Medicare providers. This means we have made a lot of mistakes, the cost of Medicare has gone out of control, and we provide Medicare reimbursement unevenly and unfairly. People complain when they should not; do not complain when they should.

You have to understand, Medicare is such a powerful force it drives prices and it drives policies in health care for years and years to come all across the span of health care. It is the elephant in the room.

Power represents an opportunity. Medicare's force and clout can also be harnessed in a direction to improve our health care system, improve efficiency. That is why I am adamantly opposed to the carve-out for hospitals and other providers because it weaves special-interest treatment into the very fabric of a board created to remove them from the process.

MedPAC was created by a Republican Congress in 1997. It, in theory, decides how Medicare reimbursement is going to be updated on an annual basis. The fact is, it has no power to do any such thing. That has to be changed.

Is this a significant change? Yes, it is. Is it just like people changing their lives in various ways all across America because they are facing situations which they have not faced before? People do not have work; people have anxiety over all kinds of subjects; they have anxiety over health care, and they should have anxiety over health care because, particularly if you are a senior, the Medicare trust fund is running out on us.

So the only way you can do that, in my judgment, is to get away from fee for service; that is, you provide the service, and whatever it is, I will pay you the fee. It is simple. It is what we have used. It is what has gotten us in trouble because we do not insist upon experts making these decisions and on demanding evidence-based outcomes in the way hospitals, doctors, and others are reimbursed under Medicare. Medicare is taxpayers' money. It is not a frivolous matter.

As was the intent of my original policy, it is time to change the equation and put expert evidence and advice at the forefront of health care decision-making. It is time to take the special interests out of the process and create an independent, politically insulated entity with its sole job to be to protect Medicare's long-term quality and solvency. I am sure many will come and object to that, saying we should do that in Congress, but I repeat: Is Congress qualified? Does it have the knowledge to the depth that it can make a decision on how much providers should be reimbursed? My answer is some do, most don't and, therefore, the cost of Medicare keeps rising and the system is more endangered.

I have no doubt that a strong independent Medicare advisory board would be a powerful cornerstone for meaningful health reform in all of the right directions, but if we want the board to succeed, it needs the tools for both Medicare reform and genuine private sector cost containment.

Congress cannot do this on its own. We have proven ourselves incapable of making efficient, consistent decisions about Medicare's future, which now amounts to a crisis. We cannot continue standing in the way of progress. I urge my colleagues to join me in support of this truly transformative policy.

I simply repeat: If we are going to make it in health care, if we are going to make it in Medicare, if we are going to preserve the trust fund, we have to change the way we do business. People may not like that. People will complain about it. People will complain if we do nothing. People will complain if we do everything. People complain. That is the nature of it. That doesn't matter. What matters is that we do the right thing; that we bend the cost curve by making accurate decisions; that we are tough in our decision-making; and that is what this board—and Congress will have a chance to review it but cannot override it except by a very substantial vote—and that is what the Medicare advisory board is all about. It is the answer to Medicare's future, in this Senator's judgment.

The security this policy provides for our seniors is too important. We need to fight for them, always. We need to protect them. We need to protect the solvency of the trust fund, and we need to make sure seniors are getting the best possible care. The day has ended when people can submit a bill and say: I did this and, therefore, pay me that. That is our system now. It is the wrong system. It has gotten us into trouble. It is not good for health care, and it is very bad for the solvency of the trust fund.

I see my distinguished colleague Senator LIEBERMAN has arrived. He and I have been working on this for some time together, I am proud to say.

I thank the Chair. I say to my colleagues the full text of the amendment, No. 3240, is printed in the RECORD of Tuesday, December 15.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I am honored to stand and speak on behalf of this amendment which I have filed with Senator ROCKEFELLER and Senator WHITEHOUSE, and I thank them for their leadership.

I wish to speak for a few moments about it. It is not a noncontroversial amendment, but I think it redeems one of the two central promises or goals of this bill. The fact is that a lot of the current health care reform debate in fact is focused on issues that are not central to two big goals that I think most of us share, which are, first, to expand the number of people who have health insurance coverage in our country; secondly, to lower the costs, because the costs continue to go up way beyond the rate of general inflation in our country, and that has a very burdensome effect on millions of individuals, families, businesses, our government—indeed, our entire economy.

This amendment focuses on the second of those two big shared goals, which is containing the increases in health care costs. It has become a mantra around here—but it is never bad to repeat a mantra—which is that national health expenditures in our country are now well over $2 trillion. It is hard to imagine that amount of money, but let me try to get inside it.

We spend twice as much per person on health care as the average developed country in the world, but I am afraid we are not receiving as a country the best value for our health care spending. The fact is that the United States provides some of the best health care in the world, but we don't provide it to all of our people and we don't provide it efficiently. Medicare and Medicaid account for over 20 percent of the Federal budget and over 27 percent of national health expenditures. These two programs are expected to rise to equal 20 percent or one-fifth of our gross domestic product by 2050.

Here is the animating, motivating fact that brings Senator ROCKEFELLER, Senator WHITEHOUSE, and me together to file this amendment: The Medicare trust fund, which provides Medicare benefits to approximately 37 million senior Americans that they depend on, that they have depended on in a way that has helped to extend their lives as average life expectancy goes up, the Medicare trust fund is expected to be insolvent, out of money, bankrupt, by 2017—unable to pay the bills by 2017. That is 8 years from now. It is to prevent that unacceptable result that my colleagues and I come forth to file this amendment to make sure that by then—we have done a lot of things, but one of them is to make the delivery of health care more efficient, the delivery of health care to seniors through Medicare more efficient, so they can look forward with confidence to having Medicare coverage throughout the rest of their lives.

As we all know, it is not just the ones on Medicare now; the baby boomers are coming of age to get on Medicare, and that will add enormously to its responsibilities.

I would say that Senators REID, BAUCUS, DODD, and HARKIN did a superb job, a very good job, with the Patient Protection and Affordable Care Act, the underlying bill, to reduce health care spending and particularly to do so while expanding coverage for 30 million more Americans, which is the second great goal that I believe we all share. While these numbers are encouraging, Senators Rockefeller, Whitehouse, and I think we can and should do more, and that is the cost containment numbers.

My colleagues introduced earlier this year the MedPAC Reform Act, which created an independent authority, a separate nonpartisan body, to make critical health care cost decisions or make recommendations about them. In the current Senate health care reform bill, their idea appears centrally as the independent Medicare advisory board. It will bring together a panel of experts whose mission it will be to extend the solvency of the Medicare trust fund by seeking out new efficiencies, new cost containments, and improving the quality of care delivered by Medicare in the private sector. The board will have the authority to make recommendations to the President and Congress to reduce Medicare spending in particular ways. Those recommendations will be fast tracked through Congress with strict requirements for the committees of jurisdiction to review them, report the recommendations to the full Congress, and then be subject, those recommendations, to limited floor debate, limited by the underlying legislation. If Congress does not pass the advisory board's recommendations or adopt other proposals that produce an equivalent amount of savings, the Secretary of Health and Human Services will be required to implement the board's original recommendations.

As Senator ROCKEFELLER said—this is the second time today I have said this—earlier today the Homeland Security Governmental Affairs Committee held a hearing on efforts to establish a commission to begin to turn around the exploding national debt we have. Part of the reason we do that and part of the reason this independent board outside of Congress is being created is that we haven't proven ourselves capable of controlling costs because we find it a lot easier to say yes to people, for good reasons, for humane reasons, but don't find it so easy to pay for the resulting costs of our affirmative answers to their requests.

The CBO has estimated that the advisory board in the current bill will save $23 billion in the next 10 years. The Obama administration and dozens of respected economists have said that the creation of this board is instrumental in lowering costs and literally saving Medicare from bankruptcy. The amendment I have filed with Senators ROCKEFELLER and WHITEHOUSE, I am convinced—certainly our intention is to make this independent board stronger so it will result in larger savings and contain more costs over the long run.

There are six provisions in the amendment that I want to denote, describe briefly. First, this amendment will extend the board's authority to cover hospitals and hospices; sensitive, I know, but the board must have the authority to consider the entire breadth of Medicare expenditures in making its recommendations to Congress to maximize savings for the government, for taxpayers and, most of all, for the beneficiaries of Medicare so the program is still there to help them.

Second, our amendment makes it easier for the board to make recommendations in the years beyond 2019 than the underlying bill does so that it can continue to monitor Medicare over the longer term and ensure its long-term solvency. We want those on Medicare now, and those coming on Medicare, to be able to depend on it over the course of their lives.

Third, this amendment will raise the amount of savings the board must meet in years where Medicare growth exceeds the target growth rate set in the law, in the proposal.

Fourth, we move up the time of implementation of the board's recommendations by 2 months to minimize, frankly, the influence of interest groups who will be in the normal course of the process fighting to stop these cost-effective recommendations.

Fifth, the amendment allows the board to offer recommendations in years where the Medicare growth rate does not outpace the target growth rate. The goal of this provision is to be clear that the purpose of the board is not just to contain costs beyond a certain standard but also to search out constantly for inefficiencies, for waste, for the expenditure of Medicare dollars that is not actually benefiting Medicare recipients.

Finally, our amendment clarifies that the purpose of the board is not just to contain costs within Medicare but to look more broadly at health

care spending outside of these publicly supported programs. That is very significant. It will provide an opportunity for broad savings in health care and health insurance for pretty much everybody in our country.

I am proud to join today with my friends, Senators ROCKEFELLER and WHITEHOUSE, to announce the filing of our amendment. These six provisions will make this advisory board stronger and reduce costs.

While we disagree on some aspects of health care reform, I hope we can agree across party lines that health care spending is out of control, and that we can contain it in a way that doesn't threaten access or benefits. We must preserve and extend Medicare for future generations, and we must ensure that the new private market we are creating in health care reform is one where health care quality and efficiency justifies the cost.

The PRESIDING OFFICER. The Senator has spoken for 10 minutes.

Mr. LIEBERMAN. I wonder if I could ask unanimous consent for an additional moment.

The PRESIDING OFFICER. In my capacity as a Senator from Minnesota, I object.

Mr. LIEBERMAN. Really. OK. I won't take it personally.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from Rhode Island be recognized for 10 minutes followed by the Senator from Michigan, the distinguished chairman of the Armed Services Committee who will be speaking on the bill, and that I be recognized to follow him.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. No objection. I assume that is for 10 minutes each?

The PRESIDING OFFICER. Is that for 10 minutes each?

Mr. MCCAIN. Yes. I have been around here 20-some years. It is the first time I have ever seen a Member denied an extra minute or two to finish his remarks. I must say that I don't know what is happening here in this body, but I think it is wrong.

It is fine with me that it be 10 minutes.

I will tell you, I have never seen a Member denied an extra minute or so, as the Chair just did.

Mr. LEVIN. If the Senator will yield, I don't object to the unanimous consent request on that condition. I think the same occurred earlier this afternoon for reasons that have to do with trying to get this bill going.

Mr. MCCAIN. I haven't seen it before. I don't like it, and I think it harms the comity of the Senate not to allow a Member at least a minute. I am sure the time is urgent, but I doubt if it is that urgent.

I renew my unanimous consent that the Senator from Rhode Island be recognized for 10 minutes, the Senator from Michigan for 10 minutes, and then that I be recognized for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I know the Senators have been waiting longer than I have. It is a personal courtesy from them to me to allow me to join Senator ROCKEFELLER and Senator LIEBERMAN as a cosponsor and have our remarks follow in series. I am grateful to both of them.

I am here to speak in support of the amendment offered by Senators ROCKEFELLER, LIEBERMAN, and myself, which would strengthen the provisions of the reform bill creating a nonpartisan group of experts to put the brakes on out-of-control medical spending.

One of the first things we can count on in terms of this amendment being one to protect Medicare beneficiaries is that the prime sponsor is Senator ROCKEFELLER, a man who has dedicated his career since long before I was here—even during his days in West Virginia—to looking out for seniors and for the disabled and, since he has been in the Senate, looking out for Medicare. That is a credential that deserves great respect with respect to this amendment.

One of the most persistent concerns in this health care debate is, of course, cost control. I have spoken many times on the floor about the overriding importance of cost containment for the future of health care and especially the need for innovative delivery system reforms, which can be driven by the way you pay providers.

Our Republican attackers complain that Democrats on the bill are just doing more of our usual taxing and spending and that we won't impose any discipline on the system. Mr. President, as somebody who has worked for years on health care delivery system reform, I can tell you that is simply not true. This bill undertakes the most comprehensive redesign of our chaotic, wasteful system ever attempted.

One leading health economist and expert in cost containment, MIT professor Jonathan Gruber, recently wrote of the Senate Democrats' efforts in this bill that he couldn't ''think of a thing to try that they didn't try. They really made the best effort anyone has ever made. Everything is in here. . . . You couldn't have done better than they are doing.''

Many critics talk about cost control as if it were just a matter of political will, that Congress can come here and cut costs by flipping a switch. Well, that may be true if you want to cut benefits for the elderly and disabled or if you want to throw the elderly and disabled off of coverage or if you want to pay doctors even less for treating Medicare patients. But those would be brutal, callous cuts that would create human misery and suffering. Better to tackle the waste in the system, the $700 billion annually in excess costs found by President Obama's Council of Economic Advisers—a number that may actually be as high as over $1 trillion every year, according to the Lewin Group and to George Bush's former Secretary of the Treasury, Paul O'Neill.

By this method, you save money by improving the quality and efficiency of care; by tackling the multiple sources of waste and inefficiency in the system; by improving quality and access to care and giving doctors, hospitals, employers, and employees all the correct financial incentives to adopt healthy, cost-saving, efficient practices. The complexity of getting those incentives right, aligned with top-flight health care, versus the power of the interest groups that are involved, has historically paralyzed Congress.

History teaches that the significant national dialog and debate we are now having about health care is a momentary exception rather than the general rule. It is possible this debate will usher in a sustained period of focus on health reform, but the steepening fall of our health care system toward catastrophe should counsel us to protect against that congressional institutional paralysis.

This independent, nonpartisan board of experts to help control costs in a way that is smart, humane, and not all politics, is important. The independent Medicare advisory board will force Congress to act by issuing recommendations to reduce cost and increase efficiency that will automatically go into effect if Congress does what we so often do around here—nothing. If Congress can agree to different ideas, it can change the board's recommendations, but we still have to reduce Medicare costs by a minimum savings target. In other words, the board will force Congress to engage thoughtfully and for the public good on the most important fiscal and health issue our Nation faces.

Senator ROCKEFELLER's amendment strengthens this board in several important ways: It expands the circumstances in which the board's recommendations go into effect when Congress does nothing. It raises the maximum level of savings that the board's recommendations must achieve. It ensures all providers of health care services, including large hospitals, are equally responsible for bringing down Medicare costs. It empowers the board to issue recommendations for improving Medicare over the long term, even in years where spending is under control.

My colleagues on the other side of the aisle have depicted the board as a frightening, Orwellian, all-powerful dictator that will cut Medicare benefits. Hogwash. The bill specifically prohibits the board from doing anything to increase premiums, ration care, restrict benefits, or modify eligibility.

The facts no longer seem to matter to our friends on the other side. They have called this group the ''rationing

commission.'' If you look at page 1004, lines 3 and 4, it says this:

The proposal shall not include any recommendation to ration health care.

You are entitled to your own opinion—and we all have one—but not your own facts.

It is actually that kind of demagoguery about Medicare that proves the case for creating the board. Thoughtful, smart, technically expert people under congressional oversight but protected from these partisan spasms of congressional vitriol, passion, and folly will make careful and consistent decisions for all of our benefits, without diminishing the power of the American people and their elected representatives, so that we can preserve and protect Medicare.

I urge my colleagues to support Senator ROCKEFELLER's amendment, in which Senator LIEBERMAN and I have so proudly joined him.

I yield the floor with my thanks to the Senator from Michigan for being so gracious in allowing me to join my colleagues in sequence on the bill.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I wish to speak for the few minutes we have this afternoon in support of the appropriations bill that is before us, the Defense appropriations bill.

Senator MCCAIN and I and other members of the Armed Services Committee have spent a lot of time each year authorizing important programs to support our troops, protect our troops, and support their families in a whole host of ways. Hopefully, it will authorize funds that can help us succeed in Afghanistan and Iraq. That bill is now law, and in front of us is an appropriations bill that contains most of those same provisions—not all but most of the same provisions.

It is critically important that this appropriations bill be passed. There are differences in this body and between this body and the House of Representatives about the policies that are involved in the war in Afghanistan and the war in Iraq. That is normal. That is the way it should be. We can have democratic debates inside this great democracy of ours. We don't have to agree, and we don't on many of the policies involved in these two war efforts. Where I believe this body is unanimous is that we are determined to support our troops when they are in the field regardless of whether we agree with the particular strategy they are supporting or whether we happen to have supported their mission.

It has been the tradition of the Congress, once a decision has been democratically arrived at to send troops to the field, that we support those troops. This appropriations bill has critically important provisions in it to support our troops. I believe there is unanimity and consensus in this body on those provisions. I will focus on a few of those provisions.

We have added significant funds. One example is the so-called Mine Resistant Ambush Protected Vehicles or MRAP. These are life-and-death matters we are talking about. These vehicles are a perfect example of that. The faster we can get the advanced MRAPs to the field in Afghanistan, the more we can get to the field in Afghanistan, the fewer Americans are going to be killed in Afghanistan. So we have funds in here—more than actually were requested—to send over 6,600 new MRAP vehicles, all-terrain vehicles that can function better there than the ones we sent to Iraq. These all-terrain vehicles have been designed and developed in record time in order to get them to our troops. We should be acting in record time on this appropriations bill, and there are many reasons for that. Surely, getting more MRAPs more quickly into the field is one of those reasons.

We have an organization called the Joint IED Defeat Organization whose sole purpose and mission is to come up with the strategies and technologies to defeat these IEDs, these improvised explosive devices that are killing our troops. In order to defeat these devices or train our troops who are deployed there in how to identify and protect themselves against IEDs, we have $1.8 billion in this appropriations bill for that organization. They have a laser mission to defeat the IEDs. We have to get this money to them.

This bill needs to be signed. The President has to sign it—and he will—so we can get these funds as quickly as possible to our troops. We need to adopt this appropriations bill.

We have pay raises and health programs in the bill. We add $1.3 billion more than the President requested for the Defense Health Program. This covers shortfalls in private sector care, increases funds for medical research, including what is called TBI, which are the brain injuries, as well as PTSD, which has so afflicted our troops in these wars. We add additional funds for those programs. The quicker the bill is signed, the faster those funds get appropriated and spent, the better off our wounded warriors who suffer from TBI and from psychological health problems are going to be.

In Afghanistan now, one of the key issues is going to be whether we can get the Afghan troops trained quickly enough, supported quickly enough, given the equipment they need so they, hopefully earlier rather than later, can join with us, partner with us, and take responsibility for their own security. Regardless of people's differences over the policies and strategies in Afghanistan, I believe there is a consensus in this body—no matter what the vote ends up being on the bill, whether people vote for the bill or against the bill, I would think all of us believe we must quickly provide funds to train, support, and sustain the Afghan security forces. We want to fund that effort in this bill at $6.6 billion.

Counternarcotics in Afghanistan. We all know the narcotics industry in Afghanistan is being used to support the Taliban. We want to continue efforts to train Afghan counternarcotics forces and support U.S. counternarcotics and interdiction activities in Afghanistan, so $300 million in this bill is going to do that.

We have a fund called the Commander's Emergency Response Program or CERP. That fund has been used to great advantage. This bill provides $1.2 billion for that Commander's Emergency Response Program; $1 billion of that is for that program in Afghanistan and $200 million of the CERP program in Iraq. This represents about twice as much CERP funding for Afghanistan as we had in fiscal year 2009.

Those CERP funds are able to provide very quickly support and economic development village by village. Our commanders are able, without going through a whole lot of red tape, to make relatively small investments in things which make a difference, in terms of the security of our troops and the betterment of the lives of the Afghans. It has had a huge, positive impact in terms of the perception of the Afghan community about us, satisfying them that we are there for their benefit, not just for our benefit. We are not occupying Afghanistan. When we leave Afghanistan, we want to leave Afghanistan in better shape than we found it. The CERP funds are a major contribution to that goal.

One of the things we have authorized in the bill, which Senator MCCAIN and I and members of the Armed Services Committee have brought to this body, was adopted by this body, and signed into law, was the authorization to use those CERP funds to help reintegrate, where we can, Afghan Taliban fighters into Afghan society—those who will renounce violence against the Government of Afghanistan and make a commitment to participate in civilian life. We are able to actually have the funds that are so essential to make that program work. We do not yet have a program in place. That is being worked on as we speak. But these funds need to be available to support that program of reintegration of Afghans, those low-level Taliban people who are with the Taliban not for any ideological reason but because they get some pay from the Taliban. Not all the members of the Taliban fall into that category. But for the ones who do, this funding becomes critical.

Mr. President, I will only take a few minutes more, but I did want to highlight a few additional points that I believe my colleagues should know about.

The first area pertains to three initiatives that originated in the Defense authorization bill that relate to the continuing fight against al-Qaida and associated terrorist organizations.

The bill includes nearly all of the $1.6 billion the administration requested for the coalition support fund, which is used to reimburse key partner nations, particularly Pakistan, for support provided to the United States in Operation Enduring Freedom and Overseas Contingency Operations.

It includes $350 million in fiscal year 2010, the full amount authorized, for the train and equip program to build the capacity of foreign militaries to conduct counterterrorism operations and support military or stabilization operations in which the U.S. participates. As clarified in the fiscal year 2010 NDAA, this authority can be used to build the capacity of ISAF coalition partners to prepare their training teams and special operations forces to be available for use in Afghanistan.

The bill also provides the full $100 million authorized for the authority to transfer funds from DOD to the State Department to support State's security and stabilization assistance programs.

The other area pertains to missile defense.

The bill before us provides important funding for ballistic missile defense programs. It supports the decisions made by Secretary Gates and President Obama to restructure the missile defense program with a greater focus on regional missile defense against existing missile threats. These changes include the termination of the Multiple Kill Vehicle Program and the Kinetic Energy Interceptor Program, and cancel procurement of additional airborne laser aircraft. This defense appropriations act also supports the decision to cap deployment of the ground-based midcourse defense system at 30 operational ground-based interceptors in Alaska and California, rather than the 44 previously planned for deployment.

The bill supports funding for alternative missile defense systems in Europe, to defend against current and future Iranian ballistic missiles.

It also includes an additional $57 million, above the budget request of $169 million, to procure more standard Missile-3 interceptors for our Aegis ballistic missile defense system. This type of interceptor will be at the heart of the new missile defense plan for Europe. The amendment also provides the full $1.1 billion requested for the terminal high altitude area defense, THAAD, system, which is another key element of our regional missile defense capabilities.

I believe my 10 minutes is up. I thank my good friend from Arizona, Senator MCCAIN, for allowing me to go first. The order of priority was that he go immediately after someone speaking on this side. But as always, his courtesy shines through to me, and I very much appreciate it.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I thank my friend from Michigan. I thank him for his leadership of the Armed Services Committee.

The train is about to leave the station on the last of the appropriations bills for 2010 and, unfortunately, nothing has changed. Everything is the same—earmarking, porkbarrel, excessive and unnecessary spending. Billions in wasteful earmarks again have found their way into this bill which could otherwise be spent for the priorities that our men and women, our military leaders, as well as the Secretary of Defense, has asked for.

There is in this bill—here we go again: an appropriations bill loaded up with earmarks—a 523-page explanatory statement for 1,720 earmarks totaling $4.3 billion. Let's do some simple math: $4.3 billion in pork, $2.5 billion in unauthorized and unrequested C–17s; $500 million in unrequested and unwanted funding for the Joint Strike Fighter alternative engine; and a Presidential helicopter. That is $7.3 billion that neither the military nor the Defense Department requested and does not need—$7.3 billion.

Some people say that is not a lot of money. It is enough to keep the State of Arizonas budget requirements fulfilled for 10 months. States across America are facing great difficulties, as we know, and an additional $7.3 billion would not be so bad.

I wish to say, again, this process of earmarking breeds corruption. That is why we have former Members of Congress in Federal prison. It was not inadequate disclosure requirements that led Duke Cunningham to violate his oath of office and take $2.5 million in bribes in exchange for doling out $70 million to $80 million of the taxpayers' funds to a defense contractor. It was his ability to freely earmark taxpayer funds without question.

I wish to point out, again, the President pledged during the campaign he would work to eliminate earmarks. The President, last March, when we had an omnibus spending bill, said they would not do it anymore. In September, the President spoke in Phoenix, AZ, to the Veterans of Foreign Wars. In that speech, the President's words were quite compelling about waste and porkbarrel spending in Defense bills. In that speech, the President promised—promised—an end to ''special interests and their exotic projects'' and reaffirmed he was leading the charge to kill off programs such as the F–22, the second engine for the Joint Strike Fighter, and the outrageously expensive Presidential helicopter.

The President went on to say:

> If a project doesn't support our troops, we will not fund it. If a system doesn't perform well, we will terminate it. And if Congress sends me a bill loaded with that kind of waste, I will veto it. We will do right by our troops and taxpayers.

Mr. President, I can tell you, the President of the United States, that meets your criteria with over $7 billion of unnecessary, unwanted spending. Will the President veto this bill? Not a chance. Not a chance. But the American people are going to demand this obscene process stop. The American people are going to demand it be stopped, wasting $7 billion of their tax dollars on wasteful and earmark spending. I am confident they are aware. They are aware we are spending $7.6 million to fund research in Montana on hypersonic wind tunnels, called MARIAH. This self-licking ice cream cone has been earmarked and unrequested since 1998. The Air Force lost interest in 2004, so the appropriators moved it to the Army. The Army has no requirement for this capability and published a report in 2005 stating their disinterest in the program. In summary, we spent $70 million for some hypersonic wind tunnels nobody wants—$70 million. Unless we demand and receive change, there will be more millions in it next year.

There is $5 million going to the battleship USS *Missouri* Memorial Association; $18.9 million for a center at the University of Massachusetts ''dedicated to educating the general public, students, teachers, new Senators, and Senate staff about the role and importance of the Senate.'' What does that have to do with defending this Nation? What does that have to do with providing the men and women who are risking their lives, as we speak, with the equipment they need? Madam President, $18.9 million to educate the public about the importance of the Senate? Give me a break.

There is $9.5 million going to the University of Hawaii for a program called the Panoramic Survey Telescope and Raid Response System. The list goes on and on. The Air Force is paying for this, and the Air Force will not be allowed to be getting much in return, since it will only be allowed to use the telescope 5 percent of the time. In other words, in dollar figures, the Air Force pays $10 million to the university and receives $500,000 in return.

What is more, the Air Force has not, in the 9-year life of this earmark, requested a single dollar for this program. Since 2001, the Air Force has been forced to spend more than $75 million of its budget allocation on a program it does not want.

I ask unanimous consent to have printed in the RECORD these other porkbarrel earmark programs, such as $1.2 million for the American Museum of Natural History Infectious Disease Research.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

> $7.6 million to fund research in Montana on hypersonic wind tunnels, called MARIAH. This self-licking ice cream cone has been with us, earmarked and unrequested, since 1998. The Air Force, leader in hypersonic testing and technology, lost interest in 2004, so appropriators moved the program to the Army. The Army has no official requirement for this capability and published a report in 2005 stating their disinterest in the program. To date, the Army has no plans to fund the MARIAH wind tunnel effort, as they have stated in their budget documents. But that hasn't kept Congress from pouring more than $70 million into it, with no discernable return. One group has made out particularly well in the deal, however. Of course, I'm referring to lobbyists, including Gage LLC, whose CEO, coincidentally, had been a senior staffer to an appropriator from Montana.

$5 million to the battleship USS *Missouri* Memorial Association. This is a private organization which owns and operates this battleship as a museum in Pearl Harbor. I am aware that the Association plans to put the *Missouri* in dry-dock and refurbish it, and also aware that it was not part of the donation agreement that the Defense Department would pay for required maintenance.

$20 million for the National WWII Museum in New Orleans, to help pay for the construction of new facilities as part of a $300 million expansion. This privately funded museum opened in 2000 and, through the help of the Louisiana delegation, has already received $13 million in Department of Defense funds tucked into previous appropriations bills. This earmark has no benefit to the United States military and will be paid at the expense of equipment and training for our troops, something few WWII veterans would support.

$14.8 million for five different earmarks pertaining to nano-tube research. Of the 1,720 earmarks in this bill, hundreds are for high-tech research or devices. I ask my colleagues whether they are capable of weighing the merits of specific technologies that they fund in this bill. The answer is they are not.

$18.9 million for a center at the University of Massachusetts ''dedicated to educating the general public, students, teachers, new Senators, and Senate staff about the role and importance of the Senate.'' This center was neither requested in the President's budget nor authorized by Congress.

$9.5 million to the University of Hawaii for a program called the Panoramic Survey Telescope and Raid Response System (Pan-STARRS). On the surface, this program seems like a reasonable need for the Air Force as a part of its Space Situational Awareness efforts. Unfortunately, the Air Force won't be getting much return on this investment, since it will only be allowed to use the telescope 5 percent of the time. In dollar figures, the Air Force pays $10 million to the University and receives $500,000 in return. What's more, the Air Force has not, in the nine-year life of this earmark, requested a single dollar for this program. So, since 2001, the Air Force has been forced to spend more than $75 million of its budget allocation on a program it doesn't want—but might be able to use—only to be denied use 95% of the time.

$500,000 for the Brown Tree Snake Program.

$1.8 million to renovate and upgrade the Historical Fort Hamilton Community Club in the New York City area.

$1.6 million to study human genetics at the Maine Institute for Human Genetics and Health in Brewer, Maine.

$3.5 million for a Micro-algae Biofuel Project in Hawaii.

$5 million for the Presidio Heritage Center, a museum, in San Francisco.

$1.6 million for the Center for Space Entrepreneurship.

$2 million for National Initiatives for Applications of Multifunctional Materials.

$1.6 million for a Virtual Business Accelerator for the Silicon Prairie.

$7.8 million to develop key technologies needed for long term operations in ''near space'' conditions for the Orion High Altitude Long Endurance Risk Reduction Effort, Aurora Flight Sciences in Columbus, Mississippi.

$2.4 million for Fusion Goggle System.

$800,000 for ''Advanced Tactical Laser Flashlight'' in Wyandotte, MI.

$2 million for Cedars-Sinai Medical Center's Operating Room of the Future, Los Angeles, California.

$4.8 million for New Vaccines to Fight Respiratory Disease and Central Nervous Disorders at the Iowa State University.

$720,000 to survey epidemiologic health for the University of Iowa.

$3 million for the New Jersey Technology Center.

$1.2 million for American Museum of Natural History Infectious Disease Research.

$1.6 million for Army Plant Vaccine Development Program.

$1.4 million for Flight/Hangar Deck Cleaner.

$4 million for the Hampton University Proton Cancer Treatment Initiative.

$10 million for the Hawaii Technology Development Venture.

$3.9 million for Intelligent Decision Exploration.

$12 million for Laser Phalanx.

$2.4 million for Marine Mammal Awareness Alert and Response Systems.

$2 million for a Marine Mammal Detection System.

$2.3 million for Marine Species.

$1.2 million for the Maritime Directed Energy Test and Evaluation Center.

$3.2 million for a National Functional Genomics Center Collaborating Site.

$2.4 million for NAVAIR High Fidelity Oceanographic Library.

$2 million for Non Traditional Ballistic Fiber and Fabric Weaving Application for Force Protection.

$4 million for Smart Instrument Development for the Magdalena Ridge Observatory.

$2 million for underwater imaging and Communications Using Lasers.

$800,000 for Unmanned Undersea Vehicle Submerged Long Range Positioning.

$2.4 million for an Unmanned Vehicle Sensor Optimization Technologies Program.

$8 million to study oceans at the Center for Excellence for Research in Ocean Sciences.

$2 million for an Advanced Laboratory for Information Integration in Hawaii.

$2 million for PaintShield for Protecting People from Microbial Threats.

$3.2 million for Playas Training and Research Center.

$1.2 million for Progressive Research for Sustainable Manufacturing.

$1.6 million for Protective Self-Decontaminating Surfaces.

$1.5 million for the Institute for the ''Advancement of Bloodless Medicine'' for the Englewood Hospital in Englewood, New Jersey.

$1.2 million for the Model for Green Laboratories and Clean Rooms Project.

$1.6 million for the Maine Center for Toxicology and Environmental Health at the University of Southern Maine in Portland, Maine.

$6 million to study the molecular signatures in tumors for the National Functional Genomics Center.

$1.6 million for Multi-Dose Closed Loop pH Monitoring System for Platelets at Blood Cell Storage Inc., Seattle, Washington.

$4.8 million for the National Oncogenomics and Molecular Imaging Center in Detroit, Michigan.

$800,000 for the Natural Gas Firetube Boiler Demonstration, Rock Island Arsenal, Illinois.

$5.8 million for the Rock Island Arsenal Roof Replacement, Rock Island, Illinois.

$800,000 for Near Infrared Spectroscopy Military Personnel Assessment at the University Community Hospital, Tampa, Florida.

$4.2 million for the Nicholson Center for Surgical Advancement Medical Robotics and Simulation in Central Florida.

Mr. McCAIN. Madam President, the list goes on and on: $2 million for the Cedars-Sinai Medical Center's operating room of the future in Los Angeles, CA. That is the second earmark I have seen. The other one is for irritable bowel syndrome. Now we have the operating room of the future. Remarkable.

There is $2.3 million for marine species; $2 million for a marine mammal detection system. There is a threat. Also, $2.4 million for marine mammal awareness alert and response system. The list goes on and on.

I know my time is near to expire.

Here we are with a deficit of $1.4 trillion for this year, a debt of over $12 trillion, unemployment at 10 percent, 900,000 families lost their homes in 2008, and we are spending over $7 billion on earmarks, porkbarrel projects the Department of Defense neither needed nor wants, and there are programs not fully funded because of this that are vital to defending the lives of the men and women who are serving in the military.

Again, this appropriations bill is a disgrace.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I rise to speak on something else, but I will say very quickly, I have listened to colleagues on the other side of the aisle lamenting where we are today. It has been 11 months since a new President was inaugurated and, obviously, everybody understands this is not a mess he created. The last 8 years of the stewardship of this country, where there was never one appropriations bill vetoed in that entire time, is an extraordinary story of public negligence and even malfeasance.

We are where we are. We are creating jobs. The economy is turning around. We had the least loss in the last 11 months. We are beginning to see those changes. We will ultimately have the strength in our economy to deal with this deficit.

TRIBUTE TO DAVID MCKEAN

Madam President, I rise for a different reason right now. It is a bittersweet privilege for me to speak about my friend and my counselor, David McKean, staff director of the Foreign Relations Committee, who is leaving the Senate at the end of this month to become the chief executive officer of the John F. Kennedy Library Foundation.

I have enjoyed the benefit of David's advice for almost 20 years now. He will be sorely missed. My only consolation is, this son of Massachusetts will again be able to vote for me.

He has been a part of my life in the Senate since 1987, when I was a freshman and he was a younger and idealistic legislative assistant. Over the years, I have drawn significantly on his knowledge and his skills. He leaves the Senate now to continue in public life, but he leaves it a little bit older but still idealistic and young at heart.

When he came to our office, he had already made a mark. He had graduated magna cum laude from Harvard College and received a law degree from

Duke University and a master's degree from the Fletcher School of Law and Diplomacy. He also taught English at the Waterford Kamhlaba School in Swaziland, Africa. But he was a crusading soul deeply interested in public policy, with a zeal for investigations and an instinct to hold Washington accountable. He was looking for a place to put all those interests to work in the Senate, and he found it.

But he also found something more, I might add—much more—that summer of 1987. There was a young Kellogg fellow from the University of Pennsylvania working in my office at that time. Her name was Kathleen Kaye. She was extraordinarily smart and committed. David did not fail to notice those qualities and a lot more. Their marriage and their three wonderful children, who I am pleased to say are with us right now, Shaw, Christian, and Kaye, are a tribute and more to the relationship they share.

David has devoted his career to public service. After 5 years of working in my office, he moved across the Capitol as chief of staff to another member of the Massachusetts delegation, Representative Joe Kennedy. He later became special counsel at the Commodity Futures Trading Commission before returning home to the Senate as deputy chief counsel at the Governmental Affairs Committee and staff director of the Permanent Subcommittee on Investigations.

I failed to mention that before going to the Permanent Subcommittee, he worked with my staff early in his career in helping to develop one of the great investigative efforts in the Senate in recent memory, which was the BCCI investigation. That wound up on the cover of Time magazine and was a seminal report—one of the best reports I have seen in the 26 years I have been here.

In 1999, I was lucky to entice him to come back to my office as chief of staff. It turned out to be his longest tenure in any of those public jobs so far. Earlier this year, when I became chairman of the Foreign Relations Committee, he became the staff director.

David is the ultimate team builder and a magnet for great talent, so he would be the first to tell you that his success did not come single-handedly. But it is clear David played the essential role in turning 2009 into a stellar year for the committee and for its new chairman. Under his guidance, we conducted 125 hearings on topics ranging from Afghanistan to Zimbabwe. We secured passage of the Enhanced Partnership with Pakistan Act, and we won approval of legislation bringing far-reaching reform to our foreign assistance program. He has worked tirelessly with the committee members and the White House over the past year, and our record is a testament to his determination and skill. I think our committee has succeeded in going through the nominations of more people and passing them more rapidly to the floor than any other in the Senate, and I congratulate him for that effort.

Somehow, during his career of service, he has found time to indulge in his passion for history and scholarship. He is the author of a highly acclaimed biography of Tommy Corcoran, the ultimate Washington insider. He also wrote a biography of Clark Clifford, which was a New York Times ''notable book of the year,'' and he is the co-author of ''The Great Decision,'' which skillfully, and perhaps surprisingly, transformed the story behind the Supreme Court's landmark Marbury v. Madison case into what the Washington Post called ''a political thriller.''

As those of you in this body know, we are—all of us—really only as capable or competent as our staff. Over the years, I have depended on David McKean at every stage. He has been the consummate adviser—trustworthy, loyal, unafraid of speaking up when I was about to veer off in the wrong direction—which, clearly, was very seldom indeed. Never was he more valuable to me than in the immediate aftermath of the 2004 Presidential election. Forty-eight hours after an election night—and early morning and early afternoon—that didn't end up the way that I had hoped it might, I returned to the Senate for a vote. Back to work. I don't remember what the vote was about, but I do remember that David was there with a plan to get us through the day and the next 2 years. I will miss that wisdom and guidance.

Our loss is the Kennedy Library's gain. In some ways, I think something like the Kennedy Library is the perfect place for this man who is at heart a scholar and an intellectual. But the Kennedy Library is particularly well-suited to David because it is a place Jackie Kennedy hoped would help turn history into advocacy and activism, and I have no doubt David's vision and experience will help to ensure that the legacy of President Kennedy endures to inspire future generations.

Madam President, I want to close by simply saying that my colleagues and I are grateful for David's distinguished service. I will personally miss him very much. I wish him, Kathleen, and their children my very best as they return home to Massachusetts to start this next special chapter in David's career in public service.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Madam President, I ask unanimous consent that at 5:30 p.m. today, the majority leader be recognized to make a motion to recess until 12:01 a.m.

Mr. SESSIONS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Reserving the right to object, if I might, if the Senator would propose her request again.

Ms. STABENOW. Madam President, I ask unanimous consent that at 5:30 p.m. today, the majority leader be recognized to make a motion to recess until 12:01 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Madam President, I rise to speak about the position we find ourselves in as we come to the end of the year. Despite the incredible successes we have had with the recovery act and equal pay and the Children's Health Insurance Program and so many other areas where we have been focused and working hard to make a difference, every step of the way, as with the current bill, we have been faced with stalling tactics, objections, and filibusters. Now with the very important Department of Defense funding bill, we are in a filibuster again. I had to make the motion I offered because we will have to come in at 1 o'clock in the morning and have a vote to stop a filibuster. That is what this is all about, filibustering a bill that has a pay raise in it for our troops, that has help for military families, that has the funding for the next year—we are in the middle of two wars—essential funding that is needed to support our military. As our Presiding Officer knows, having been a leader on this as well, we also have placed into this bill provisions that are incredibly important for families, extending unemployment insurance for families across the country who find themselves in a situation not of their making where their job has gone away or they have been laid off because the company can't continue to employ them, maybe because of rising health care costs, which is certainly part of the equation. People are finding themselves in a situation where due to nothing they have done other than be a good citizen, care for their kids and follow the rules, they are without employment. We have this year extended unemployment insurance—and I am so grateful that President Obama has been willing to do this, has helped to lead this in the recovery act and then again as we ended a filibuster, a month-long filibuster in October, brought that to an end in November to extend unemployment insurance. We find ourselves again, because of the unemployment situation, even though we see it getting a little bit better, with a long way to go. We are moving in the right direction, but we have a long way to go. This bill would extend for 2 months unemployment insurance that is critical for families. It would also extend help with health insurance. We are debating the larger health reform bill to create a way for families to be able to afford insurance and for us to bring down costs over the long run for businesses and for families.

This bill in front of us that is being filibustered by the Republicans would extend help for health care, for health insurance, for COBRA payments—a program put in place that made a lot of sense. If you lose your job, you could pay on your own to continue the coverage. But it is incredibly expensive.

So recognizing that, and recognizing how tough it is when you lose your job and you are in a situation—it is either savings or unemployment insurance or both—and you are trying to make the mortgage payment and care for the kids and put food on the table and pay the electric bill and all of the other things, and then to add a several hundred or several thousand dollar payment for COBRA on top of that has not been realistic for families. So we have placed a 65-percent subsidy, to help families get through this tough time, for health insurance. We also have assistance for food for families who, right now, again, have never had to ask for help before in their lives but now have a situation where they cannot put adequate food on the table for their children.

This bill is very important, and what we have in front of us, unfortunately, is another filibuster, another objection—like we have seen all year—to stop us from moving forward to fund our military, to support our troops with a pay raise, to help military families, and then to do a number of other things that are critical to do in the short run until we get into the new year and are able to focus more broadly on these things.

As the Presiding Officer knows, this is not the first time this has happened. We have had from the party of no 98 different objections this year. This is a record, a world's record I think: 98 different times that we have seen them objecting, filibustering, having stalling tactics to moving forward on things that ought to be bipartisan.

These are not Democratic issues when somebody has lost their job or when a small business needs help or needs health insurance they can afford or when a family finds themselves in a situation where they need to be able to have help to continue their health insurance or put food on the table. This is not a Democratic idea or a Republican idea, this is American.

We have Democrats, Republicans, Independents, people who do not have a party, people who are not active politically, people who vote, people who do not vote. They are losing their jobs. They expect us to get it. They expect us to have a sense of urgency around here.

The troops who are serving us right now, who are in tougher times than we will ever face, are not saying what matters is whether you are Democrat or Republican as to whether we fund the troops and fund the Department of Defense and give them a pay raise they have earned and need or to help their families. They are saying: Come on. Come together. Solve problems. Get things done.

But yet, over and over—and we find ourselves tonight where we are going to be stopping a filibuster at 1 o'clock in the morning on a bill to fund the Department of Defense, on a bill that would help families get through the holiday season, keep a roof over their head, pay their heating bills, and keep food on the table.

To dramatize this even more, it is stunning to think about the fact that out of the 40 weeks we have been in session this year—40 weeks—for 36 of those weeks, we have had filibusters or stalling tactics, objections to amendments or objections to bills being put on the floor. That means only 4 weeks out of the entire year we have been in a situation where the Republicans have not been saying no, have not been stalling on things that are incredibly important.

Even with all of this, by any objective measure, there has been more accomplished this year than in any other time since the Great Depression. We need to be accomplishing more and faster because people have a tremendous sense of urgency about what is happening in their lives right now. So we need to be acting. Think of what we could have gotten done. We have all the things that have gotten done and have been addressed. Think about what we could have gotten done if we did not have 36 weeks of filibusters that we had to deal with and objections we had to deal with.

I hope, as we are going through this new year, there will be a sense that it is time to get things together here and work for the common good and put people back to work and tackle their health care costs and make sure people can afford to have health insurance.

Let me close by sharing a story from Annette from Lake Orion, MI. She says:

> After a successful 21-year journalism career, I was laid off in May when my newspaper closed. I will turn 60 in October and am a 12-year survivor of breast cancer. My husband, who is 62, is on my health insurance.
>
> Thankfully, the federal government is helping [us] pay for our COBRA, which would be more than $800 a month.
>
> Senator, we're not pleading poverty. But it's easy to see the dilemma of many Americans in our shoes: Risk going without health insurance, you risk bankruptcy if someone gets sick. Pay the current price, and watch your life savings, which were supposed to support you in [your] old age, dwindle down.
>
> Don't listen to those screaming to maintain the status quo; it doesn't work for too many Americans.

We have story after story where people are facing an early retirement—not by choice—dipping into retirement savings to try to keep their health care going. Young people, old people need us to act now, and I am urging Congress to act now.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. STABENOW. I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, it is very distressing that Senator STABENOW could not finish her remarks and that other Senators such as Senator WHITEHOUSE and Senator LEVIN and Senator LIEBERMAN have been shorted of time. Why? Because, for some reason, the majority leader feels we should not go past 5:30 tonight.

This is a defense bill, and it is important. We need to be talking about the good things that are in it and the things that have been added to it that are not so good. I do not think working a few extra hours is going to hurt anybody.

I hear colleagues complain that they cannot work a weekend, they cannot work up to Christmas, they cannot work at night. Well, what about our men and women who are serving in Iraq and Afghanistan 7 days a week, 12 hours a day, Christmas and holidays? They are away from their families so I do not have any sympathy for any Member of the Senate who feels this is too hard for them. Also, I do not appreciate the fact that we are shut off from debate tonight to be able to talk about this issue that is before us. I see no reason for that to have to occur.

I object to the health care bill. The American people object to the health care bill—sixty-one percent say no. But we are supposed to now agree and go along with the majority? And if we do not, we are some sort of obstructionists? I do not think so. I believe I am representing my constituency. I believe I am representing the best interests of the United States of America. I do not believe this health care bill is part of that.

With regard to the armed services bill—I am a member of the Armed Services Committee, and I have been a Member for 12 years; I have been to Iraq six times and Afghanistan six times—I believe it is great we can give our soldiers a pay raise and support them. A lot of things in the bill are good. There are some that are cut too much, but there are a lot of things that are good, and I wish to vote for the bill. But this defense bill has $18 billion in unrelated spending items attached it: increased unemployment, COBRA, food stamps, and loan subsidies for businesses.

Two things strike me about this. First, these new expenditures are not paid for. They are not within the budget. They are above the budget. What does that mean? Well, the budget itself has us in deficit. So if it is not paid for in the budget resolution, every penny of this $18 billion goes straight to the debt of the United States of America. We need to stop this.

Second, why did they put this kind of spending on the defense bill? Because they want to come down here and say: Anybody who is not willing to go along with this scheme to pad $18 billion straight to the debt of the United States of America—anybody who objects does not love our soldiers.

That is wrong, and people are getting tired of that. This is how the debt of this country is surging out of control.

This Congress is irresponsible in our spending. We have increased the debt the likes of which this Nation has never seen, and we are spending as if it is going out of style.

I would point out one matter here about the interest we pay on the debt. In 2008, the annual deficit was $450 billion—at that time, the largest ever. This past year, the deficit for the fiscal year ending September 30 was $1,400 billion, $1.4 trillion. This puts us on the map, according to the Congressional Budget Office, to double the entire debt of America in 5 years, and triple it in 10. Unbelievable.

This is a kind of gimmick—attaching unpaid for, nonbudgeted items to the defense bill, then trying to force it through, so we cannot do anything about it. They snicker, I am sure, in their self-confident way that: We got 'em. If they object to the bill, we will say they don't love our soldiers, they don't support America's defense.

I am getting tired of it. I think the American people are getting tired of it. I saw a poll where the most popular party in America today is the tea party—more than Republicans or Democrats.

Somebody said: Well, $18 billion, Sessions, that is not too much money. But it is done on bill after bill. This is not the only bill that has these kinds of gimmicks in it. Let me show you. I figured this out one day. I put together a chart here a little bit hastily: Baseline Increases: A Destructive Pattern.

When we increase funding in these bills above the budgeted amount and increase the debt, people like to think: Well, it is just $18 billion. That is not much.

Look how that works when you do it over a period of ten years. So let's say next year, we go over $18 billion. This adds another $18 billion to the national debt. Well, that is not so much. But wait, it is a lot. The State of Alabama's general fund budget is $2 billion. Do not tell me $18 billion in one bill, on top of this defense bill, is not a lot of money. It is a huge amount of money.

But it does not work that way. This $18 billion tends to go into the baseline, so the next year, when they talk about increasing the budget, they pad it by another $18 billion. It is not just $18 billion the next year, you see. It is $18 billion on top of what was pumped into the baseline the year before, and that totals out to $36 billion. Then the next year, it is $36 billion, plus $18 billion more. And the next year, it is $54 billion, plus $18 billion more. The next year it is $72 billion, plus $18 billion. The next year, it is $90 billion, plus $18 billion. And the next years, it is $108 billion, $126 billion, $144 billion, and $162 billion if you pad the budget. And this bill is just 1 of 13 accounts: Defense. We have 13 different spending bills. How much is that? It is $900 billion in additional deficits, just because of our inability, our unwillingness, to stay by the numbers that we voted on as our budget limit.

The budget itself, as presented by the President and passed by the Democratic majority, put us on a road to having $1.4 trillion in deficit last year, and it looks as though this year we are going to have a another $1.4 trillion deficit. But just this one little gimmick, if it is replicated each year, can add almost $1 trillion more to the debt of America over ten years. That is why we are concerned about it.

By the way, when we talk about the scheme that puts us on the road, according to the Congressional Budget Office, to tripling the debt of America by 2019, that does not include the health care bill. The health care bill has not passed. This outlook only includes the things that are in law now. So how much more would those figures be if the debt goes up?

I will point to one last thing about the overall financial status of this country: the interest we pay on that debt. This chart shows it.

Last year, this Nation paid $170 billion in interest on the borrowings we have as a nation. In that 1 year it was $170 billion. That is a lot of money. As I said, not counting the State education budget, for all the other matters of our State of 4.6 million people—which is almost one-fiftieth of the Nation's population, an average-sized State—our general fund is $2 billion. However, $170 billion is how much we paid in interest last year. According to the Congressional Budget Office, those numbers will increase to where in 2019, as a result of surging debt, $799 billion will be added to our debt because of interest we must pay; $799 billion just in that 1 year. That is more than the whole defense budget. That is more than the whole U.S. discretionary budget from not too long ago. That is a huge amount of money. It is going to crowd out spending for schools, for highways, for health care, and for other projects.

I am very upset about it. We cannot continue. The President has said this is an unsustainable course. Every economist we talk to says it is an unsustainable course.

But how do we get there? We get there by taking a Defense bill and tacking on $18 billion worth of unfunded spending. Every penny of that gets added to the debt.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I thank the Chair.

I urge my colleagues to send this bill back and reform it so we can have a clean Defense bill. We need to take these unpaid matters out and make sure they are paid for.

I thank the Chair and yield the floor.

Mr. JOHNSON. Madam President, I rise today to recognize this incredible opportunity to dramatically improve the health of our Nation. Americans face out-of-control health care costs, great inequalities in access to care, eroding benefits, and the ever-increasing threat of losing their health insurance. While it is no easy task to fix a system that is both very complex and very troubled, we cannot fail to act.

I wish today to highlight the challenges faced by approximately 12 million Americans who buy health insurance in the individual market. Many farming and ranching families in South Dakota are forced to purchase from this market, where they all too often wind up underinsured with coverage that costs too much and provides too little.

South Dakotans have contacted me directly to report health insurance discrimination that results in increased premiums, refusal of coverage for necessary treatments, and denial of coverage. I have even heard complaints from people who work in the insurance industry, like Pam from Sioux Falls, SD. She shared with me the serious barriers people encounter when looking for health insurance on the individual market. ''There are huge loopholes in the individual market. People who are not healthy cannot get insurance. We turn people away every day and they want to buy health insurance.''

Insurance companies increase their profits by selling to individuals who will pay premiums but rarely use their benefits, and by avoiding individuals who have health issues. This cherry-picking leaves millions of Americans without access to affordable health insurance coverage. And when families go without health insurance, they receive less preventive care and often must undergo more costly medical treatment when illness progresses undetected. This uncompensated care for the uninsured drives health care costs up for all of us.

Those who buy insurance on the individual market pay top dollar for very limited coverage. They will benefit immensely from health reform. The Patient Protection and Affordable Care Act will increase the insurance options in the individual market and address injurious insurance industry practices that limit access to care. Immediately after enactment, a new program will be created to provide affordable coverage to Americans with preexisting conditions until insurance industry reforms are fully implemented. The legislation will also form health insurance exchanges in every State through which those limited to the individual market will have access to affordable and meaningful coverage. The exchange will provide easy-to-understand information on various health insurance plans, help people find the right coverage to meet their needs, and provide tax credits to significantly reduce the cost of purchasing that coverage.

Pam says, ''People who want to buy individual insurance should be able to, regardless of their health status.'' I couldn't agree more. The Patient Protection and Affordable Care Act will ensure that no American is denied coverage because of their medical history, and it will provide the security of meaningful, affordable health care coverage for all.

Mr. JOHNSON. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. First of all, Madam President, I apologize to everyone. I indicated to both the majority and the minority that we would be here at 5:30, but I had some things that came up, and I simply could not be here.

SERVICE MEMBERS HOME OWNERSHIP TAX ACT OF 2009—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Madam President, I move to proceed to Calendar No. 175, H.R. 3590. I have a cloture motion that is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 175, H.R. 3590, the legislative vehicle for the Patient Protection and Affordable Care Act.

Harry Reid, Christopher J. Dodd, Mark Udall, Patrick J. Leahy, Daniel K. Akaka, Richard J. Durbin, Sherrod Brown, Jeanne Shaheen, John F. Kerry, Jack Reed, Tom Harkin, Sheldon Whitehouse, Kirsten E. Gillibrand, Jeff Merkley, Joseph I. Lieberman, Barbara Boxer, Debbie Stabenow.

Mr. REID. I now withdraw that motion.

NEED FOR JUSTICE IN NEPAL

Mr. LEAHY. Mr. President, I want to speak briefly about a matter that is of concern to the Congress and the Department of State, involving a heinous crime that occurred in Nepal and the need for justice.

Many people are familiar with the brutal murder of Maina Sunuwar in February 2004. At the young age of 15, she was arrested by Nepali soldiers and severely tortured to death at, of all places, the Birendra Peace Operations Training Center. After her murder, the army made it look as though she had been shot while trying to escape, and then buried her body at the center.

According to a United Nations report, in September 2005, after intense public and international pressure, three army officers were brought before a court martial and sentenced to a mere 6 months imprisonment for failing to follow proper procedures when disposing of Maina's body. In spite of many requests, the Nepal army refused to disclose the nature of the charges that led to this sentence, or provide copies of any documents relating to the court of inquiry or court martial. It also refused to cooperate with police investigations.

It is shocking that one of the officers accused in her murder, Major Niranjan Basnet, was permitted to participate in a United Nations peacekeeping mission in Chad. This speaks volumes about the inadequacy of vetting procedures of military personnel for such missions, which is a separate subject that I intend to take up with officials at the Department of State and United Nations.

To his credit, Prime Minister Madhav Kumar Nepal had Major Basnet returned from Chad, following the issuance of an arrest warrant and in response to public calls for his arrest. However, when he arrived back at the Katmandu airport the army took him under its control and apparently, despite initial promises and requests from the police and orders from the Prime Minister, has still not handed him over to the police.

This case represents a critical juncture for Nepal. In large measure, and as others have pointed out, Maina's death will decide whether a civilian, democratic government and the rule of law will determine Nepal's future, or it will remain dominated by the interests of the Nepal army.

Just a few days ago, President Obama signed into law the Consolidated Appropriations Act, 2010, which includes a prohibition on assistance to the Nepal army unless it, among other things, is cooperating fully with investigations and prosecutions by civilian judicial authorities of violations of internationally recognized human rights. This provision applies squarely to Maina's case.

I urge the new Chief of the Army Staff, General Chhattraman Gurung, to seize this opportunity to demonstrate that the army is reforming, that it recognizes in a democracy its members are answerable to the civilian courts, and that it will no longer perpetuate the impunity that has undermined the rule of law in Nepal for far too long.

PAROLE GUIDELINES

Mr. LEAHY. Mr. President, I have long questioned the policy of detaining asylum seekers who present genuine claims for protection under our laws. Asylum seekers who express a fear of return to their country, and who can establish their identity and show that they are neither a flight risk nor a threat to the community, should be allowed to pursue a claim for relief in the United States free from custody. Yesterday, U.S. Immigration and Customs Enforcement, ICE, announced new guidelines for release of asylum seekers that override an unduly harsh policy implemented in 2007 by the Bush administration and that are a welcome step toward compliance with our obligations under the Refugee Convention.

Under current law, an asylum seeker who arrives at a port of entry and asks for refugee protection is given a brief interview to ascertain whether he or she has a credible fear of persecution in their home country. If the asylum seeker passes that interview, they are detained, pending a hearing on their claim before an immigration judge. That hearing may take place weeks or months after the asylum seeker arrives in the United States. Unless the asylum seeker can convince the Department of Homeland Security that they should be released, that asylum seeker can spend those weeks or months in immigration detention. This policy is an affront to our ideals as a nation that aspires to be a beacon of light to persecuted refugees.

In 1997, the Immigration and Naturalization Service developed guidelines to determine whether asylum seekers should be released from custody in ''parole'' status while their asylum claims were adjudicated. To obtain parole, asylum seekers were required to establish their identity, and show that they were neither a flight risk nor a threat to the community. These guidelines were properly calibrated to deter fraud in the asylum system and threats to our national security. They also ensured that those who met the criteria for parole should be released. The 1997 parole guidelines were imperfectly implemented, but the policy contained in them was reasonable and appropriate.

For reasons that were never adequately explained, under the prior administration, ICE issued new parole guidelines that raised the bar for asylum seekers. In addition to the 1997 requirements, under the Bush policy, an asylum seeker had to demonstrate other factors, such as a serious medical condition, pregnancy, status as a minor, or that his or her release was in the ''public interest.'' The term ''public interest'' was not defined in the 2007 guidelines and it is not clear how a detained asylum seeker could have met such a vague standard. Members of Congress and the bipartisan U.S. Commission on International Religious Freedom questioned the need for such a restrictive policy, especially when many asylum seekers have no criminal record and pose no risk to Americans.

The new parole policy generally hews to the 1997 parole guidelines, but contains an important improvement. Again, asylum seekers will be eligible for parole if they demonstrate a credible fear of return to their country of origin, establish identity, and show that they are neither a flight risk nor a threat to the community. For the first time, however, the government will conduct a parole review of each case in which the asylum seeker establishes a credible fear of return. Under both the 1997 and 2007 policies, an asylum seeker had to request a parole determination in writing. Many asylum seekers arrive on our shores with genuine claims for protection, but no English language skills and no legal counsel. For these asylum seekers, navigating our complex immigration system presents an enormous hurdle. It is a challenge for them to even comprehend that they may seek parole

from detention. Therefore, an automatic parole review will assist many bona fide refugees in winning release from custody. Our commitment to fair and humane treatment of refugees demands no less. This new policy will also save taxpayer dollars spent to detain immigrants, including asylum seekers who are otherwise eligible for parole, at an average of $100 per person, per day.

In 1996, when our asylum laws were rewritten to restrict access to protection for many who requested protection upon arrival, I fought hard to preserve our role as a nation that welcomes refugees. I offered an amendment to restore basic due process protections to the summary exclusion and expedited removal provisions proposed for asylum seekers. Former Senator Michael DeWine of Ohio cosponsored the amendment, which prevailed by only one vote. Since that time, I have worked to strengthen access to due process for asylum seekers and ensure that our government complies with its international treaty obligations under the Refugee Convention.

I commend President Obama and Secretary Napolitano for engaging in a serious review of our asylum policies and taking steps to bring us closer to full compliance with international law. With the thirtieth anniversary of the Refugee Act of 1980 approaching, I will continue to press for both legislative and administrative changes to the law that will protect refugees and asylum seekers from harm and provide them with safety and security in America.

RECOGNIZING THE BOY SCOUTS OF AMERICA

Mr. BROWNBACK. Mr. President, I rise today to honor one of the most distinguished and recognized organizations for young people in the United States, the Boy Scouts of America. Specifically, I want to recognize its tremendous efforts to uphold the principle of service to others.

Today, the Boy Scouts of America is the largest youth service organization with nearly 3 million members. Its teachings of citizenship, character development, and self-reliance are those which all Americans should strive to emulate in their daily lives. The programs give participants the opportunity to engage in a wide range of outdoor activities, education programs, and career-oriented programs in partnership with many community organizations. Boy Scouts of America celebrates 100 years of service on February 8, 2010, with the theme ''Celebrating the Adventure, Continuing the Journey.'' This motto will serve its members as they continue teaching the necessary skills to many more generations to come.

I want to recognize the efforts of the Jayhawk Area Council in northeast Kansas. These members are planning for the next 100 years of Scouting through their ''Building Tomorrow's Leaders'' project. This is just one of many projects that will honor the spirit of service in communities of Scouts across the Nation.

Boy Scouts of America recognizes that young leaders are developed over time, and has expanded its programs to help young men and women up to 20 years of age through Venturing Crews, Explorer Posts, and the Learning for Life groups. These programs have been shown to be meaningful and to improve a Scout's likelihood for success as an adult and enhance the quality of life in the community where he resides. Boy Scouts of America has kept up with the evolving and changing needs of our Nation, by adding programs in areas such as environmental ethics and responsibility. President Dwight Eisenhower recognized the contributions of the Boy Scouts 56 years ago when he praised the organization, as it ''yearly enriches our Nation, and contributes generously to the economic, physical and spiritual resources of the country.''

Mr. President, the Boy Scouts of America have helped shape young people of America for the past 100 years. This achievement is one to be celebrated, and I hope many of my colleges will join me in wishing this organization the best for the next 100 years.

JOHN BRADEMAS CENTER FOR THE STUDY OF CONGRESS REPORT

Mr. KERRY. Mr. President, from the Marshall Plan to tsunami relief, America's arsenal has always been most powerful when we have marshaled not just the force of our arms but the power of our ideals. It is no secret that for 8 recent years, the United States seemed to have broken with some of our best tradition and time-honored values—and it set back our security to be so isolated in the world. I have said many times that even the most powerful Nation needs some friends on this planet. Now, 1 year into President Obama's administration, the time is right for a robust public diplomacy to advance our interests in the world and to enhance our national security. That is the conclusion of a new report from New York University's John Brademas Center for the Study of Congress.

The center, well known to the Senate for its research and recommendations for new perspectives on public policies, recommends in its report that international arts and cultural exchanges be incorporated more fully into the planning strategies of U.S. policymakers.

Mr. President, this is a timely and important study. I recommend it to the Senate and ask that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOVING FORWARD: A RENEWED ROLE FOR AMERICAN ARTS AND ARTISTS IN THE GLOBAL AGE

The 2008 election of Barack Obama as the 44th President of the United States has offered an historic opportunity for the renewal of faith in the American political system and restoration of America's image around the world. In January 2009, the John Brademas Center of the NYU Wagner convened a group of experts to explore the public policy implications for American arts and culture of a renewed focus on U. S. public diplomacy and issued a call for an expansion of international arts and cultural exchanges in the service of this new direction. The following report is the result of their expert opinions and deliberations.

The mission of the John Brademas Center for the Study of Congress is to increase the understanding of Congress—its role in making policy and its powers, processes, and responsibilities. The Center's nonpartisan work reaches scholars, students, public servants, policy makers and the general public. The Center conducts research, sponsors student internships, organizes academic conferences and public symposia, and hosts policy addresses by Members of Congress. As a part of the New York University's Robert F. Wagner Graduate School of Public Service, the Center strives to help the next generation of public service leaders develop a deeper understanding of how and why Congress makes decisions. It is named for its founder, NYU President Emeritus John Brademas, who served in the U.S. House of Representatives for 22 years (1959–81).

The Robert F. Wagner Graduate School of Public Service of New York University is a leadership school of public policy, urban planning and non-profit management whose faculty members are widely recognized for reframing the way people understand and act on issues of public importance, and whose graduates are bold, well-prepared change makers who expertly navigate real-world complexity and produce results that matter.

This report has been prepared and edited by Michael F. DiNiscia and Thomas M. McIntyre of the John Brademas Center and Professor Ruth Ann Stewart of the Robert F. Wagner Graduate School, New York University.

EXECUTIVE SUMMARY

Over the past decade, studies have shown that public opinion in other countries—particularly in the Islamic world—has taken an increasingly unfavorable view of the government and foreign policy of the United States. Yet international opinion about the values and culture of the United States, as distinct from government policies, has remained more positive according to the most recent surveys conducted by the non-partisan Pew Global Attitudes Project even in Middle Eastern countries. The inclination to view the fundamental ideals of American society as positive provides a valuable opening for policymakers to utilize the arts and culture both to advance America's international interests and enhance the cultural experience of its citizens and their understanding of America's place in a rapidly changing world.

To these ends, this report recommends that international arts and cultural exchanges be integrated into the planning strategies of U.S. policymakers as a key element of public diplomacy. History has proven that a robust public diplomacy is essential to U.S. national security and the promotion of American interests around the globe. The arts community has observed firsthand the value of international artistic exchanges in promoting moderation and tolerance among widely diverse religious and cultural groups.

Recognizing the fiscal constraints imposed by the current economic downturn, the report advises policymakers and the arts community to first focus on new and better ways to utilize arts and cultural exchange initiatives that are currently underway in both the private and governmental sectors.

As responsibility for America's public diplomacy initiatives is shared among the White House, National Security Council, Department of State, Congress, National Endowment for the Arts (NEA), National Endowment for the Humanities (NEH), Institute of Museum and Library Services, and other Federal agencies, this report offers specific suggestions and recommendations for fostering greater interagency cooperation in the integration of arts and cultural exchanges into their respective strategies.

At the same time, American arts groups feel a responsibility for promoting an understanding of the vibrancy of arts and culture in our country that both animates our democracy and nourishes international exchanges and America's image. Thus, the report recommends a national conversation on the arts generally and their centrality to the quality of American life both home and abroad.

A NATIONAL CONVENING ON CULTURAL DIPLOMACY

We recommend that a National Convening on Cultural Diplomacy be held in Washington, DC to bring together policymakers and leaders in the arts community. Such a meeting would be a way of directly engaging artists, at a time of domestic and international difficulty, in the efforts to tell anew America's story and expand and to deepen our country's understanding of foreign societies and the value of cultural diplomacy to the security and quality of American life.

The Convening would attempt to engage the relevant agencies of the Federal Government to make arts and cultural exchanges a strategic part of U.S. public diplomacy. While the meeting could be best organized by one or more nonprofit organizations working in this field, it would benefit greatly from the support and collaboration of the U.S. Department of State as the lead Federal agency promoting international exchanges.

We believe that the meeting would be greatly enhanced by the inclusion of representatives from other countries who are leaders of international cultural initiatives.

We believe such a meeting, drawing together policy makers, artists, scholars and representatives of professional service organizations, foundations, and other nonprofit as well as for-profit groups involved in the arts, would provide an agenda for Congress and the Administration to build on current resources and programs to expand international arts and cultural exchanges—in both directions—in the service of America's national security and quality of life.

BUILDING DEEPER AND BROADER EXCHANGES

We believe it is critical that international arts and cultural exchanges be two-way, person-to-person endeavors in order to promote the human connection and that such connections be sustained over time and not just episodic events, as too often has been the case. As an example, we recommend that visual arts presentations include an educational component and performing arts master classes to strengthen the value of these face-to-face interactions.

We believe that given the appropriate level of funding and commitment long term, cultural diplomacy programs can demonstrate—using evidence-based evaluation—their success and effectiveness in promoting the best aspects of America's culture and democracy.

American culture is rich in its diversity and demographic make-up. Through the recruitment and exchange of outstanding representatives of all of America's many cultures, we can demonstrate the multicultural nature of American society at its best, presenting a vision of openness and freedom of expression to societies where such opportunities are often lacking. Similarly, we urge a public diplomacy policy that welcomes the cultures of others to our shores.

We believe that cultural exchanges must not only be two-way but also sensitive to local needs, practices, and aspirations in selecting the type of American art to promote in a given country or region. The Internet has opened up to the world the rich variety of art and artists the U.S. has to offer and we should seek to meet those expectations and interests including for popular culture and the nonconventional.

It would seem that a priority for arts and cultural exchanges would be with countries with which the United States has limited official relations as well as with countries where there is a low level of travel or interaction at the citizen level.

We think cultural exchanges that focus on restoration and preservation projects are especially productive as would be the exchange of experts in the areas of performing arts administration, museum policies and techniques, etc. Technical assistance exchanges have a long history of helping other countries to celebrate their heritage and promote tolerance between nations while at the same time giving Americans opportunities to learn about other cultures.

In the past, cultural exchanges organized by the Federal Government have on occasion raised suspicions that artists had compromised their artistic integrity. We believe in the importance of government at all levels—federal, state and local—working with nonprofits and NGOs both at home and in foreign countries to avoid the appearance that cultural exchanges are contrived solely to serve U.S. foreign policy interests rather than the intended purpose of furthering mutual understanding. To that end, we urge that the international exchange process not be centralized in or overly coordinated at the national level but instead structured to draw in artists and arts groups directly at all levels.

RESEARCH

Policymakers need credible evidence to help them determine the merits and value of expanding international exchange programs. We believe that a National Convening on Cultural Diplomacy would provide the appropriate forum for assembling a body of expert testimony and current and directed research that would facilitate a clear and focused examination of potential outcomes.

We believe it would be beneficial to such deliberations if a comprehensive inventory and review were undertaken of current programs by federal, state, and local governments and private groups in the international arts and cultural exchange area.

We recommend that a State Dept Working Group on Cultural Diplomacy be charged with responsibility for coordinating the effort to collect, examine and evaluate relevant reports and data generated by both government and civil society organizations as supplemented and supported by the Congressional Research Service, private foundations, and scholarly research efforts sponsored by the National Endowment for the Arts (NEA), National Endowment for the Humanities (NEH), and Institute of Museum and Library Services (IMLS).

We believe that a particularly productive part of the research process would be the opportunity to document actual experiences and impacts of both past and on-going cultural exchanges, especially the person-to-person encounters that have well established track records for generating significant and measurable goodwill toward the United States.

We believe that verification of such successes would not only help substantiate the case for international art and cultural exchanges as an important part of public diplomacy but would also enable us to identify and evaluate best practices in the field.

It is our hope that private foundations would support the research process and, working in collaboration with the arts community, help to determine a series of metrics for not only evaluating international programs but the adequacy as well of resources and work opportunities for the American artists and institutions who would fuel such efforts.

We recommend that the State Department be encouraged to be an active participant in the ongoing efforts by such international organizations as UNESCO and World Monuments Fund to map the world's cultural infrastructure toward the protection of important art objects, artistic forms, sites, and institutions located in disaster and conflict areas. The U.S. Defense Dept and Federal Emergency Management Agency might also be considered as a source of funding and assistance for such undertakings.

TECHNOLOGY & TECHNICAL ASSISTANCE

In recognition of the borderless nature of the Internet we urge that the latest and most advanced electronic social networking technology be utilized in cultural diplomacy programs.

We believe that stronger cultural exchanges would result from government moving beyond the older idea of technology as broadcasting medium to harness the new and most advanced social networking technologies that not only distribute message and art but also encourage civic engagement and social connectivity.

Given the effectiveness of the American public/private model, a National Convening on Cultural Diplomacy would explore opportunities to recommend to Government ways of working in association with private nonprofit and for-profit cultural organizations with popular social networking sites in order to expand the range of possibilities for sharing and exchanging cultural experiences.

We believe that the pairing of technology and culture would be especially efficacious through the dissemination of hardware and software (e.g., cell phones, wi-fi systems, low-cost computers, hand-crank radios, etc.) to more remote areas of the globe where cultural understanding and exchanges are especially needed.

We also recommend cultural exchanges involving scholars and experts in such specialties as performing arts management, conservation and preservation, museology, and curation, especially those with expertise in newer forms of media and technology. For example, we urge the expansion and integration into public diplomacy efforts of the Cultural Preservation Fund which currently sends conservators abroad to provide technical assistance and run education projects,

PUBLIC/PRIVATE PARTNERSHIP

We believe that the Government should encourage and promote two-way international exchanges, acting in a convening role to bring together private organizers and private funders, as the cost should not be fully assumed by American taxpayers.

We urge the State Department to consider ways in which it might utilize its administrative capacity and area expertise to explore possibilities for working with foundations and U.S. corporations to increase grants for international exchanges, as well as to investigate the potential of coordinated activity with the many arts and media industries engaged in the international marketplace of culture.

At the same time, we recognize the importance of members of the arts community keeping informed about policy changes and shifts in the national agenda. We believe

that over time and in evolving ways, cultural exchanges could render service in partnership with government (as well as foundations and corporations) that would continue to enhance America's public diplomacy process.

We believe that through the export of a wide diversity of American arts and artists, and the import (and ready admission through the passage of the Arts Require Timely Service Act [H.R. 1785 and S. 1409]) of a broadly representative group of foreign arts and artists, America's best foreign and domestic cultural interests would be served.

LEADERSHIP AT THE FEDERAL LEVEL

We believe that the effectiveness of American public diplomacy would be advanced by the integration of cultural diplomacy into the policy-making process of the White House and the State Department.

We propose that a National Convening on Cultural Diplomacy incorporate into its agenda an examination of the recent call by various nongovernmental study groups concerned with Federal support of the arts generally for the creation of a full time White House post specifically charged with promoting the arts and culture as part of the Domestic Policy Council. Arts and cultural professionals agree that without a strong and healthy cultural sector at home (frequently characterized as cultural vibrancy), the U.S. would not have the rich pool of diverse talents in place and available when selecting art and artists to represent the nation at its best internationally.

We further recommend that a National Convening on Cultural Diplomacy be given the opportunity to propose the creation by the President of a position on the National Security Council (NSC) to oversee public diplomacy, including the coordination of relevant arts and cultural exchange efforts with the Domestic Policy Council, State Department, and the Federal cultural agencies.

We further recommend the National Convening agenda include a proposal for the creation of a Standing Committee to advise the Secretary of State on ways in which the State Department could begin to renew its diplomatic strength and expertise in the area of culture. Committee members would be persons in the arts world involved in both informal and formal international exchanges.

We would also recommend that a Special Envoy for Culture be appointed by the State Department to work on building relationships and partnerships with foreign governments and international bodies such as UNESCO, International Council of Museums, World Heritage Alliance, et al.

EXPANDING FEDERAL PROGRAMS

We believe that it is both timely and desirable to urge the creation of a new direction for public diplomacy through the expansion of Federal cultural programming.

We believe that key to this new direction is an expansion of the budgetary capacity of the State Department to increase the number of cultural affairs officers stationed at embassies and consulates and their capabilities for carrying out cultural programming as the ones most informed about what exchanges would be best coupled with which country.

We recommend that, in addition to increasing its personnel numbers, the State Department further enhance its ability to attract good people by creating parity in career advancement and status between cultural affairs officers and political officers.

We believe that the State Department would benefit as well from the creation of a Cultural Diplomacy Fellowship Program that would increase the flow of personnel through the cultural diplomacy system; rotate outside cultural experts through the Department; and enable State Department employees to go for further training at cultural institutions in the U.S. and abroad for fixed periods of time.

Additional recommendations that have been proposed for consideration by a National Convening on Cultural Policy include:

A publicity campaign coordinated by the State Dept., NEA, NEH, and IMLS to alert more U.S. and foreign artists and cultural institutions about the opportunities available for international cultural exchanges, including Fulbright fellowships.

Ways for the United States Agency for International Development (USAID) to support cultural programs that are consistent with their development goals (i.e., cultural preservation projects and arts and crafts programs).

Ways for the Peace Corps and AmeriCorps to develop cultural projects and recruit artists into both organizations.

Ways for the Commerce Department to promote cultural tourism that would direct Americans to cultural programs abroad and market cultural activities in the U.S. to foreign tourists.

Increase funding for arts and cultural exchanges in departments other than State and the Federal cultural agencies (e.g., Defense Department, Commerce Department, etc.) to encourage the sending of artists and technical assistance to localities deemed to be less developed and comfortable.

CONGRESSIONAL ACTION

We encourage the relevant committees in Congress, in particular the House and Senate Foreign Affairs Committees, to hold a series of public hearings on the proposals coming out of the National Convening on Cultural Diplomacy.

We believe that congressional hearings are key to the development of new and expanded legislation and programs in support of two-way cultural exchanges, for all the reasons and recommendations outlined above.

We offer the Arts and Artifacts Indemnity Act of 1975 for consideration by the Congress in its deliberations as a legislative model of the time proven success of international cooperation and cultural exchange.

We recommend the inclusion in such hearings of a broad representation of knowledgeable parties, especially representatives of state and local arts and humanities councils and agencies and of professional service organizations.

Finally, we again urge the reintroduction and passage by Congress of the Arts Require Timely Service Act [H.R. 1785 and S. 1409] as an essential component of cultural exchange and the enrichment and diversity of the cultural experience of the American public.

LAW STUDENT PARTICIPATION ACT

Mr. CARDIN. Mr. President, I have introduced the Law Student Participation Act of 2009.

The bill creates exceptions to Federal conflicts of interest law which generally prohibits Federal employees from acting as an attorney or agent in a matter adverse to the U.S. government. The legislation directs the exceptions to Federal employees attending law school and participating in legal clinics and employees of the District of Columbia who staff legal clinics. Where the Federal employee has participated personally and substantially in the matter or the matter is before the employee's particular agency or department, specific conflicts of interest provisions still apply. The current law is over broad and denies learning and teaching opportunities where no real conflict may exist.

Law schools, including schools in my home State, have voiced concern over the present law. Some of these schools include the University of Maryland, the University of the District of Columbia, and Georgetown University School of Law. The schools have related stories of students, who are Federal employees, regulated to clinics dealing only with state matters. In other instances a student might start working on a client's matter, but will be unable to continue once the matter goes to trial or before an administrative proceeding. Law schools complain that under such circumstances the client's right to effective counsel is diminished. Due to a requirement I championed, the University of Maryland School of Law faces unique challenges. Each student must provide legal services to the poor or persons who otherwise lack access to justice prior to graduation. Federal employees, unlike other students, must choose from a smaller selection of clinics due to the current Federal conflicts of interest law. Finally, if Federal employee students seek careers in practice areas where Federal law predominates, they likely will obtain no practical clinic experience in law school.

It should be noted that the Office of Government Ethics, OGE, and the Department of Justice are aware of the text of the bill. Both have conveyed informally that they do not have problems with this legislation. The OGE released a report in 2006 that was critical of current Federal conflict of interest law as being overbroad and specifically pointed out that volunteer work was frequently barred even when no potential for conflict of interest existed.

The current law deprives law students who are Federal employees of valuable practical educational opportunities. Ultimately participation in these clinics would result in better attorneys many of whom later go on to work for the Federal government.

ADDITIONAL STATEMENTS

REMEMBERING SOL PRICE

• Mrs. BOXER. Mr. President, I am honored to remember Sol Price, who passed away on December 14, 2009, at the age of 93. Sol was a man of vision in business, charity, and community. I will remember his great accomplishments, but I will also remember him as a wonderful man and a dear friend.

A trendsetter in retail, Sol Price founded FedMart and the Price Club, which subsequently sparked the wholesale warehouse industry. He envisioned providing consumers with products at low prices while providing good wages and working conditions for his employees. When FedMart opened its first

store in San Antonio, TX, in 1957, Sol Price paid double the minimum wage. He also succeeded getting a mortgage company to drop its requirement on separate restroom facilities for ''Colored'' and ''Whites.''

Sol Price was a leader in philanthropy and education. In 1991, after the death of his grandson Aaron, he established the Price Fellows program for young people in San Diego County, with a mission to enrich their lives and encourage stewardship for their community. The 3-year program for high school students teaches them about business, cultural institutions, and government; it also encourages lasting relationship across different ethnic, religious, and economic backgrounds. This program has created a new generation of local leaders in government, business, and civic life.

In 2000, Sol and his wife Helen set up the San Diego Revitalization Corporation, which was later renamed Price Charities. The end goal is to improve the lives of the urban poor. Among his many commitments, Sol worked to revitalize City Heights, a neighborhood in the city of San Diego that was a poor, high-crime but diverse community. In partnership with the city of San Diego, he built low-income housing and commercial space for community organizations and attracted businesses that would not otherwise have located in City Heights.

Sol was a member of the board of trustees for the Urban Institute in Washington, DC, the board of directors for the Center on Budget and Policy Priorities, the Consumer Affairs Advisory Committee of the U.S. Securities and Exchange Commission, and the San Diego Financial Review Panel.

Born in the Bronx, NY, Sol Price grew up in San Diego. He graduated from San Diego State University in 1934 and earned a law degree in 1938 from the University of Southern California.

Sol will be dearly missed. There is no doubt that his spirit will live on, carried along by the people he helped, the neighborhoods he transformed, and the entrepreneurial path he blazed.

He is survived by two sons, Robert and Larry, five grandchildren, and four great-grandchildren. My heart goes out to the family during this time of grief. They are in our thoughts and in our prayers.●

REMEMBERING ORVAL ALLEN KELSO

● Mr. CRAPO. Mr. President, today I wish to ask my colleagues to join me in recognizing the accomplishments of Mr. Orval Allen Kelso.

Today, deeply engaged in a war on terror, thousands of American civilians are working and serving in harm's way. Like the brave men and women serving in uniform, these patriotic citizens risk their lives every day in an effort to rebuild a stronger future for the people of Iraq. However, they are not alone. American civilian contractors have been operating in combat theatres since as early as World War II, and I am here today to tell you about one of those.

Hailing from Emmett, ID, Orval Allen Kelso arrived on Wake Island in the North Pacific in June 1941, working as a powerplant operator for Morrison Knudsen. Mr. Kelso worked as a powerplant operator until December 1941, when he was captured and taken as a POW to Camp 18, Sesabo, Japan. While a POW at Camp 18, Orval helped build the Soto Dam that provides water to Sesabo city today. He, among several hundred civilian POWs, built this dam with hardly the right tools to work with, malnutrition, improper clothing, and daily physical and emotional abuse by their captors. Orval later died in Camp 18 on April 8, 1943, just days after his birthday. In 1949, his only child, Walter Richard ''Dick'' Kelso, reclaimed his father's remains, and brought him back to rest on U.S. soil at the National Memorial Cemetery of the Pacific in Honolulu, HI. I also note that although Mr. Kelson was a civilian during the time I have discussed, after his death, the Department of the Navy awarded him an E4 military status.

It is fitting that we honor Mr. Kelso for his sacrifice and also be reminded of the many others who were taken prisoner or who paid the ultimate sacrifice working in harm's way. We often forget about the nonmilitary Americans who gave their all for the freedoms we cherish in our great Nation. Let us help remedy that today by recognizing Mr. Kelso and the civilian POWs taken during World War II. They are an exemplary example of the selflessness displayed by Americans in an effort to bring peace and freedom to millions, and we thank them for their sacrifice.●

TRIBUTE TO RICHARD R. JENNINGS

● Mr. KERRY. Mr. President, I wish to congratulate Richard R. Jennings of Wilmington, MA, for the honor he received from the Smithsonian Institution at the American History Museum earlier this year. Mr. Jennings was recognized for his long service with the Railway Mail Service. The 85-year-old Mr. Jennings is one of the last survivors of one of the most important innovations in the history of mail service in the United States.

Mr. Jennings was honored as part of a postal service exhibit at the American History Museum last summer. In addition to the recognition he received, the Smithsonian also recorded Mr. Jennings's memories of his years as part of the Boston-to-Albany and the Boston-to-New York ''mail by rail'' routes—part of a network that was so important to U.S. mail service before the airlines took over much of the service.

The Railway Mail Service began in the mid-19th century but grew in importance as the railroads became dominant in transportation until the mid-20th century. ''Mail by rail'' was quite successful—dramatically increasing the speed of delivery of mail, especially over long distances.

Mr. Jennnings and his fellow Railway Mail Service clerks were considered the elite of the Postal Service's employees. And for good reason. Their jobs were exhausting and dangerous. They were required to sort 600 pieces of mail an hour in a speeding train that could wreck—and occasionally did. The potential for danger certainly added pressure to an already difficult job.

In addition to changing our postal system, the Railway Mail Service was the source of an expression well known in the United States. Empty mail sacks and sacks filled with damaged, misaddressed or otherwise unsortable mail were referred to as ''bums.'' And before the trains would leave the stations along their routes, rail clerks would often shout ''throw the bums out.''

Mr. Jennings served this country in important ways, not only as a postman in the ''mail by rail'' network but also as a sergeant with the U.S. Army Medical Corps in Italy and North African during World War II. There, as much as with the ''mail by rail'' service, Mr. Jennings helped to ''throw the bums out.''

Mr. Jennings deserves our thanks for his unique and great service to our country. I congratulate him and his family and I share their pride in him and his important role in the history of our country's Postal Service.●

TRIBUTE TO DICK AND CHRISTINE MOODY

● Mr. KERRY. Mr. President, anyone who has served in our Armed Forces or who has had a loved one in uniform understands just how difficult the holiday season can be—separated from husbands, wives, fathers, mothers, daughters, and sons. It can be the loneliest time of the year. Dick and Christine Moody understand that better than most, and since 2003 they have worked tirelessly to make the holidays a little cheerier for the men and women who keep America safe. They have done it with Operation Troop Support, the organization they founded 6 years ago as a way to say thank to those serving in the military.

Since its founding, Operation Troop Support has sent more than 25,000 care packages to men and women in the military abroad. These packages are sent throughout the year, but during the holidays extra care is taken to see that the season is a little brighter for the troops. And it is for that reason that during this holiday season, I would like to recognize and commend Dick and Christine Moody for their efforts—efforts that have earned them national recognition and the accolades of the National Military Family Association, the Employer Support to the

Guard and Reserve, ESGR, and numerous State and local officials.

I also want to recognize the hundreds of volunteers who have contributed their time, energy and money to Operation Troop Support. The support the North Shore community has given the organization has been inspiring. Volunteers have spent countless hours boxing the care packages, and they have donated thousands of dollars to ship the packages to ensure that each soldier, marine, airman and sailor receives something during the holiday season.

I had the opportunity to meet with many of the Operation Troop Support volunteers while attending a St. Patricks Day luncheon hosted by the organization last year. During the luncheon, I spoke with a soldier, Thomas Lanzoni, who had recently returned from Iraq. Inspired by the volunteers of Operation Troop Support, Sergeant Lanzoni walked across the Commonwealth of Massachusetts to raise money and awareness for the Moodys's organization.

Dick and Christine Moody understand the special burden placed on military families. Dick spent 23 years in the Air Force and retired as a lieutenant colonel. Additionally, the Moodys have a son and a daughter who have served abroad in the Air Force. The military has long been a part of their life. Consequently, Operation Troop Support not only supports the troops in the field but also hosts family support group meetings for the loved ones of servicemembers deployed or about to be deployed overseas.

I salute the Moodys and Operation Troop Support for their service and dedication to our country. Their gestures of gratitude have reached thousands of servicemembers, reminding each of them that we support them and their families while they are deployed and when they return.●

2009 NATIONAL BOARD CERTIFIED RHODE ISLAND TEACHERS

● Mr. REED. Mr. President, I commend the announcement yesterday that 44 Rhode Island teachers and nearly 9,000 teachers nationwide achieved National Board for Professional Teaching Standards certification this year.

The single most effective step we can take to raise student achievement and turn around struggling schools is to ensure that we improve the quality of our teachers. For years I have worked to improve what the Federal Government does to help train and develop teachers. Indeed, I have worked with National Board on nearly every piece of teacher quality legislation I have introduced in the Senate. The National Board has been instrumental in identifying effective teaching practices and infusing those practices throughout our Nations schools. Their certification process is rigorous and includes multiple components that regularly assess and improve a teacher's ability to improve student learning. Since 1994, 82,000 teachers have been National Board certified, including 383 Rhode Island teachers.

Last week, the National Board announced an expansion of their certification process to include principals and other school leaders, recognizing the research that effective leadership is second only to classroom instruction among factors that influence student outcomes. I was pleased that this important expansion was made possible through Federal funding provided through the fiscal year 2009 Labor, Health, and Education appropriations bill.

I congratulate the Rhode Island teachers and teachers nationwide on their significant accomplishment and dedication to their professional development, and I look forward to continuing to work with the National Board to ensure that our children have the most effective teachers, principals, and school leaders.

I ask that the names of the Rhode Island teachers who achieved National Board certification this year be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

2009 RHODE ISLAND NATIONAL BOARD CERTIFIED TEACHERS

Rhonda Asprinio, Michelle Beaulieu, Karen Bessette, Catherine Boutin, Dawn Brooder, Alison Burke, Jaclyn Cambio, David Clegg, Leila Connolly, Suzanne Costa, Lilly Coustan, Cheryl Degnan, Stephanie Desmarais, Amy Devault, Jonathan Dune, Kerri Gendice, Michael Gendice, Andrea Hainey-Turcotte, Carolyn Higgins, Michaela Holmes, James Hovey, and David Kearsley.

Denise Ledoux, Jeanne Maggiacomo, Treva Mcelroy, Karen Mchenry, Maryelizabeth Melillo, Bonnie Morency-Lima, Lisa Narcisi, Kerry Perschau, Margaret Pouliot, Mary Roberts, Elizabeth Ruest, Lynn Rzemien-Plotkin, Marilyn Salisbury, Elyse Scherza, Denise Sherman, Nicole Tetreault, Jennifer Theroux, Julee Thomas, Christa Thompson, Jennifer Walker, Lynn Warila, and Amy Weigand.●

TRIBUTE TO ANDREW SAMWICK

● Mrs. SHAHEEN. Mr. President, today I congratulate Professor Andrew Samwick for being recognized for his dedication to and his excellence in teaching. Professor Samwick is the winner of the 2009 New Hampshire Professor of the Year Award, one of the most prestigious awards for undergraduate teaching. Honorees are recognized for their influence in the lives and careers of their students.

Mr. Samwick has taught at Dartmouth College since 1994 and is a professor of economics and the director of the Nelson A. Rockefeller Center for Public Policy and Social Sciences. He is a well-known expert on the economics of retirement and social security reform, and has testified several times before Congress and has served as chief economist on the staff of the President's Council of Economic Advisors. He is also a research associate at the National Bureau of Economic Research where he cochairs the Social Security Working Group.

Professor Samwick graduated summa cum laude from Harvard College and received a Ph.D. in economics from the Massachusetts Institute of Technology. He has won numerous prizes, grants, and fellowships for his work. His articles frequently appear in prestigious economics and finance journals and he often provides commentary and opinion for national public radio and national newspapers.

The U.S. Professors of the Year program acknowledges the most exceptional undergraduate instructors in the country—those who stand out in their teaching and positive influence on the lives and careers of their students. It is important that we recognize the critical work and contribution that our talented professors make in educating the next generation of young people. I am extremely proud that Professor Samwick has been honored by this prestigious distinction.●

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.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1472. An act to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 10:38 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1147. An act to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service.

H.R. 3714. An act to amend the Foreign Assistance Act of 1961 to include in the Annual

Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.

H.R. 4194. An act to amend title 18, United States Code, to exempt qualifying law school students participating in legal clinics or externships from the application of the conflict of interest rules under section 205 of such title.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3714. An act to amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 4194. An act to amend title 18, United States Code, to exempt qualifying law school students participating in legal clinics or externships from the application of the conflict of interest rules under section 205 of such title; to the Committee on the Judiciary.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 17, 2009, she had presented to the President of the United States the following enrolled bill:

S. 1472. An act to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 1490, a bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance , and other protections against security breaches, fraudulent access, and misuse of personally identifiable information (Rept. No. 111—110).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 730. A bill to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 1817. A bill to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the ''John S. Wilder Post Office Building''.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

H.R. 2711. A bill to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 2877. A bill to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the ''1st Lieutenant Louis Allen Post Office''.

H.R. 3072. A bill to designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the ''Coach Jodie Bailey Post Office Building''.

H.R. 3319. A bill to designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the ''Army Specialist Jeremiah Paul McCleery Post Office Building''.

H.R. 3539. A bill 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''.

H.R. 3667. A bill to designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the ''Clyde L. Hillhouse Post Office Building''.

H.R. 3767. A bill 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''.

H.R. 3788. A bill 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''.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 678. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. DODD for the Committee on Banking, Housing, and Urban Affairs.

*Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration.

*Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

*Marisa Lago, of New York, to be an Assistant Secretary of the Treasury.

*Steven L. Jacques, of Kansas, to be an Assistant Secretary of Housing and Urban Development.

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

*Julie Simone Brill, of Vermont, to be a Federal Trade Commissioner for the term of seven years from September 26, 2009.

*Edith Ramirez, of California, to be a Federal Trade Commissioner for the term of seven years from September 26, 2008.

*Nicole Yvette Lamb-Hale, of Michigan, to be an Assistant Secretary of Commerce.

*Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner for a term expiring June 30, 2011.

*David L. Strickland, of Georgia, to be Administrator of the National Highway Traffic Safety Administration.

*Coast Guard nomination of Rear Adm. (1h) Steven E. Day, to be Rear Admiral.

Mr. ROCKEFELLER. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Coast Guard nomination of Andrew G. Liske, to be Captain.

*Coast Guard nomination of Robert A. Moomaw, to be Lieutenant.

*National Oceanic and Atmospheric Administration nominations beginning with Keith E. Tucker and ending with Jason P.R. Wilson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 9, 2009.

By Mr. LEAHY for the Committee on the Judiciary.

Mark Anthony Martinez, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years.

Michael W. Cotter, of Montana, to be United States Attorney for the District of Montana for the term of four years.

Barbara L. McQuade, of Michigan, to be United States Attorney for the Eastern District of Michigan for the term of four years.

James L. Santelle, of Wisconsin, to be United States Attorney for the Eastern District of Wisconsin for the term of four years.

Christopher A. Crofts, of Wyoming, to be United States Attorney for the District of Wyoming for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. WYDEN:

S. 2895. A bill to restore forest landscapes, protect old growth forests, and manage national forests in the eastside forests of the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Mr. HATCH, Mr. BENNET, Mr. BROWN, and Mr. CARPER):

S. 2896. A bill to recruit, support, and prepare principals to improve student academic achievement at high-need schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 2897. A bill to establish incentives to increase the energy efficiency of federally assisted housing; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. LANDRIEU (for herself and Mr. ALEXANDER):

S. 2898. A bill to provide for child safety, care, and education continuity in the event of a presidentially declared disaster; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Mr. MERKLEY):

S. 2899. A bill to amend the American Recovery and Reinvestment Act of 2009 and the Internal Revenue Code of 1986 to provide incentives for the development of solar energy; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 2900. A bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, and Mr. BENNETT):

S. 2901. A bill to improve the acquisition workforce through the establishment of an acquisition management fellows program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, and Mr. BENNETT):

S. 2902. A bill to improve the Federal Acquisition Institute; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself and Mr. ENZI):

S. 2903. A bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background check for child care providers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself, Ms. SNOWE, Mr. KERRY, Mr. LAUTENBERG, Mr. FEINGOLD, Mr. MENENDEZ, Mr. DURBIN, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mrs. BOXER, Mrs. MCCASKILL, Mr. HARKIN, and Mr. SCHUMER):

S. 2904. A bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities; to the Committee on Armed Services.

By Mr. INOUYE:

S. 2905. A bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment; to the Committee on Finance.

By Mr. FEINGOLD (for himself, Mr. MCCAIN, and Mr. LIEBERMAN):

S.J. Res. 23. A joint resolution disapproving the rule submitted by the Federal Election Commission with respect to travel on private aircraft by Federal candidates; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HAGAN (for herself and Mr. BURR):

S. Res. 377. A resolution congratulating the University of North Carolina Tar Heels for winning the 2009 National Collegiate Athletic Association Field Hockey National Championship; to the Committee on the Judiciary.

By Mrs. HAGAN (for herself and Mr. BURR):

S. Res. 378. A resolution congratulating the University of North Carolina Tar Heels for winning the 2009 National Collegiate Athletic Association Women's Soccer National Championship; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. Res. 379. A resolution to express the sense of the Senate regarding the protection of intellectual property rights for clean energy and environmental technology; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 604

At the request of Mr. SANDERS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 604, a bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes.

S. 619

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 619, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 841

At the request of Mr. KERRY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Hawaii (Mr. INOUYE) 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. 1183

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1197

At the request of Mr. VOINOVICH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1197, a bill to establish a grant program for automated external defibrillators in elementary and secondary schools.

S. 1255

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1255, a bill to amend the Magnuson—Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes.

S. 1345

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1589

At the request of Ms. CANTWELL, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 1739

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1739, a bill to promote freedom of the press around the world.

S. 1938

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 1938, a bill to establish a program to reduce injuries and deaths caused by cellphone use and texting while driving.

S. 2831

At the request of Mr. REED, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2831, a bill to provide for additional emergency unemployment compensation and to keep Americans working, and for other purposes.

S. 2833

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2833, a bill to provide adjusted Federal medical assistance percentage rates during a transitional assistance period.

S. 2853

At the request of Mr. GREGG, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2853, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the long-term fiscal stability and economic security of the Federal Government of the United States, and to expand future prosperity growth for all Americans.

S. 2854

At the request of Mr. KOHL, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2854, a bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for new qualified hybrid motor vehicles, and for other purposes.

S. 2874

At the request of Ms. LANDRIEU, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2874, a bill to designate the facility of the United States Postal Service

located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the ''Ray Rondeno, Sr. Post Office Building''.

S. 2886

At the request of Ms. CANTWELL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2886, a bill to prohibit certain affiliations (between commercial banking and investment banking companies), and for other purposes.

S. RES. 316

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

AMENDMENT NO. 2790

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of amendment No. 2790 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2845

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2845 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2846

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2846 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2847

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2847 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2848

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2848 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2849

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2849 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2871

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2871 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2883

At the request of Ms. STABENOW, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of amendment No. 2883 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2909

At the request of Mr. NELSON of Florida, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 2909 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2978

At the request of Mr. BEGICH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2978 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2995

At the request of Mr. SCHUMER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2995 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3037

At the request of Mr. JOHNSON, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 3037 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3076

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 3076 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3088

At the request of Ms. COLLINS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 3088 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3112

At the request of Ms. CANTWELL, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 3112 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3114

At the request of Mr. GRASSLEY, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of amendment No. 3114 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3117

At the request of Mr. WYDEN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of amendment No. 3117 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3136

At the request of Mr. UDALL of New Mexico, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 3136 intended to be proposed to H.R. 3590, a

bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3170

At the request of Mr. PRYOR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 3170 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3173

At the request of Mr. MERKLEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 3173 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3185

At the request of Mr. BROWN, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. KIRK) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 3185 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3203

At the request of Mr. BAYH, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of amendment No. 3203 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3228

At the request of Ms. LANDRIEU, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of amendment No. 3228 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3240

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 3240 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 2895. A bill to restore forest landscapes, protect old growth forests, and manage national forests in the eastside forests of the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I rise today to introduce critical forest legislation for my home State of Oregon.

For too many decades, Oregon has been at war with itself over the fate of one of our most abundant—and most threatened—resources, our forests.

Nowhere has the negative impact of this battle been greater than in Oregon's eastside forests.

Over-logging and disastrous fire suppression policies of the past gave way over time to excessive litigation and gridlock.

With each passing month, our inability to take action, our inability to address the needs of Oregon's declining forests means that they are growing more at risk of preventable fire and disease.

With each passing month and each attempted timber sale and threatened lawsuit, the relationship between the environmental community and the timber industry has grown increasingly bitter.

Each side in these disputes has thoroughly armed itself politically enough to survive, but never enough to succeed.

The end result is that today, across Oregon's Federal forest landscape, we have around 9.5 million acres of choked, at-risk forest in desperate need of management, and millions of acres of old growth, species habitat, and watersheds face an uncertain future.

Unless something fundamental changes, that number and that peril will grow, not shrink, in coming years.

Today, good and decent people on both sides of these difficult issues have come together with me to craft legislation that will bring peace, jobs, and a healthier tomorrow to 8.3 million acres of Federal forest in eastern and central Oregon.

Today, for the first time in memory, timber executives are standing shoulder-to-shoulder with leaders of the Oregon environmental community to take shared responsibility for saving our endangered forests.

These folks have been a part of negotiations with my office for over 8 months, and have made difficult concessions in order to save our threatened Eastside forests.

Today in eastern Oregon we are down to only a small handful of surviving mills. Without far greater certainty of supply and an immediate increase in merchantable timber, more mills will close.

If that happens our Eastside forests will pay the price.

Without mills to process saw logs and other merchantable material from forest restoration projects, there will be no restoration of our Eastside forests.

The folks my office worked with to come to an agreement set aside their differences and found common ground that will prevent that from happening.

The legislation that we are rolling out today, the Oregon Eastside Forests Restoration, Old Growth Protection and Jobs Act of 2009, will provide an immediate supply of logs in the short term to jump-start restoration efforts and keep our timber mills alive.

Job One must be saving our remaining forest management infrastructure in central and eastern Oregon while preserving our old growth and watersheds.

Over the long term—in 3 years from its passage to be precise—this legislation will also provide the long-term certainty required to restore each of the six Eastside national forests, protect our most sensitive environmental assets, and restore countless jobs to rural communities.

I want to make clear that the road ahead is likely to see some challenges. Our coalition will be tested. But I have great faith that the decent people who helped to put this bill together will honor the components of this agreement and will fight to preserve its many elements as we move through the process.

I also want to point out that none of our efforts will succeed unless Oregon Federal forests are also adequately funded to properly manage and restore these valuable Federal assets.

Together, we have entered a partnership that goes beyond the four corners of this legislation. Together, as a team, we will fight for the funding to put our people back to work and restore the health of our forests.

Together, we have demonstrated something that I think my colleagues here in the Senate will appreciate: working together on a difficult issue is not only possible, it yields far greater results than working apart.

Later today, and tomorrow, I will be sitting down with key members of the Obama administration and the timber industry so that the administration can better understand the peril and opportunity in Oregon's Eastside forests. This is a united front that has not been witnessed by a White House since the onset of the timber wars.

It is my hope we will learn to work together, we will develop real trust, and that we will use these new experiences to tackle the difficult issues that await us on the west side of the Cascades.

I also want to single out a few individuals who have endured thousands, of hours of difficult work and negotiations to reach this point: John Shelk, president of Ochoco Lumber; Andy Kerr; the American Forest Resource Council, represented by Heath Heikkila and Tom Partin, who spearheaded negotiations.

I also want to recognize others that joined me earlier today to rollout this legislation Tim Lillebo with Oregon Wild; Tom Insko with Boise Cascade;

Mary Scurlock, with Pacific Rivers Council; Randi Spivak, with the National Center for Conservation Science and Policy; Ben Bendick with the Nature Conservancy; and Bob Irvin with Defenders of Wildlife.

I also want to recognize back in the State, their colleagues that could not join me earlier today; Rick Brown with Defenders of Wildlife, Joseph Vaile of Klamath Siskiyou Wildlands Center, Steve Pedry with Oregon Wild, and Michael Powelson with the Nature Conservancy, as well as the other members and mill owners of AFRC.

I want to thank my staff, Michele Miranda, Mary Gautreaux, and Josh Kardon, who gave their nights and weekends to get us to this point.

I am proud to introduce this legislation today, and I am going to keep working with all the folks in my State who are willing to talk in good faith about restoring our eastside forests.

By Mrs. FEINSTEIN (for herself and Mr. MERKLEY):

S. 2899. A bill to amend the American Recovery and Reinvestment Act of 2009 and the Internal Revenue Code of 1986 to provide incentives for the development of solar energy; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Renewable Energy Incentive Act of 2009, which is cosponsored by Senator JEFF MERKLEY.

This act would extend, expand, and improve existing tax incentives and grant programs for renewable energy, especially for solar energy.

Provisions of this act are widely supported by public power utilities, environmental groups, renewable energy companies, renewable energy industry associations, and labor unions.

These include, for example: the American Public Power Association; the Solar Energy Industries Association; the Los Angeles Department of Water and Power; the Northern California Power Agency; the Southern California Public Power Agency; the Large Public Power Council, LPPC; solar companies including Brightsource, Solyndra, Tessera Solar, and Stirling Energy Systems and many others.

First, the bill would allow renewable energy companies to claim grants from the Treasury department, in lieu of renewable energy tax credits, through 2012 instead of 2010.

Second, it would permit public power utilities to claim these same Treasury Grants.

Third, it expands the solar investment tax credit to include manufacturing equipment and solar water heaters for commercial and community pools.

Finally, it establishes a new tax credit for solar companies who consolidate and develop disturbed private land instead of developing our more pristine public lands.

The most significant provision in this bill would extend the Treasury Grants Program established in the stimulus by two years, allowing renewable energy developers to continue claiming these grants.

Section 1603 of the American Recovery and Reinvestment Act established ''payments in lieu of tax credits for specified energy property'' in order to support renewable energy development.

The program allows renewable energy developers to take grants, or payments, from the Treasury department instead of claiming tax credits in order to help build projects that require a great deal of capital upfront.

The provision has reduced the impact of the financial crisis on renewable energy development.

Before the grants program was established, most renewable energy developers had to partner with profitable banks, or ''tax equity partners,'' in order to take advantage of renewable energy tax incentives.

These big financial institutions would apply tax credits against their large profits, taking a cut for themselves along the way.

But in 2008, when financial sector profits sank, the $8 billion ''tax equity'' market largely evaporated.

Renewable energy development ground to a halt because developers could not find tax equity partners.

Major players in the space, such as AIG and Lehman Brothers, disappeared. The banks that still had profits began demanding a much higher cut.

That's when Congress stepped in.

The stimulus created the Treasury Grants, which allow developers to claim their tax benefits directly, instead of partnering with profitable banks.

The U.S. wind industry installed 1,649 megawatts of new capacity in the third quarter of this year alone, a boost from the previous two quarters and in excess of 2008 levels. Experts credit the Treasury grants program.

Solar is also getting back on track. For instance, SunEdison used a Treasury grant in lieu of tax credits to accelerate construction of an 18 megawatt photovoltaic array—one of the largest in the U.S.

The firm's CEO told the press: ''That could not have been done without this program.''

The Treasury program is also allowing renewable energy developers to attract significantly more debt backing for projects than would otherwise be possible, according to recent statements by the managing director of energy investments at J.P. Morgan Capital.

But the grants program is set to expire in 2010, far before most utility scale solar projects will begin construction or financial analysts predict tax equity markets will recover.

If the grant program is not extended, bank profits will again become the limiting factor on renewable energy development in the U.S., and that makes no sense.

That is why I propose to extend the program two years.

This legislation would also level the playing field between public power and for-profit companies by allowing public power utilities to receive Treasury Grants for renewable energy projects.

Public power utilities serve 45 million American consumers, but they are currently prohibited from receiving grants for their renewable energy development.

The basis for this prohibition is that public power utilities are tax exempt, non-profit corporations owned by local governments, who therefore have not been able to claim tax credits directly on their income tax returns.

But excluding public power from the grants program does not make sense.

Congress created the Treasury grants program specifically to assist firms that lacked the ability to claim the full benefits of renewable energy tax incentives.

If we are going to allow for-profit companies to claim these direct grants, why would we exclude our non-profit public power utilities?

So leveling the playing field for public power is fair.

This provision is also necessary to protect our local community utility companies who want to deploy renewable energy.

The federal grants make building renewable energy projects cost effective for rate payers.

Because public power utilities lack access to these grants, they are now frequently establishing complex financial arrangements with private developers in order to build renewable energy projects that qualify for federal help.

This is in direct conflict with public power's historic, proven business model as a vertically integrated, non-profit.

It requires our cities and towns to negotiate unnecessarily complex deals with Wall Street.

Let me give you an example.

Turlock Irrigation District, TID, a public power utility in my state, decided to build a 137 megawatt wind farm in 2007.

They wanted to build and own.

But to make it cost effective, Turlock signed a contract to buy the power, but a tax equity partner would ''own'' the project and receive the benefit of the federal production tax credit.

The contract was extremely complex and costly, requiring the participation of an investment bank to find a tax equity partner, an equity group to be the tax equity partner, legal counsel for the equity group, experts to provide risk advice and engineering advice to the equity group; bond counsel to provide renewable asset specialists; an operator to run the plant for the equity group; and an asset manager, to advise the equity group on the performance of the operator.

After 2 years and millions of dollars spent trying to finalize this deal,

Turlock learned that the supposedly profitable equity partner, American International Group, AIG, wasn't profitable at all.

AIG backed out and the entire deal collapsed.

After much analysis, Turlock Irrigation District decided to own and operate the wind farm, giving up on receiving any Federal support.

Larry Weis, the General Manager, explained in a letter to me:

> The bottom line is that TID made a business decision to forego working with a private developer to develop a project, because the complexity of the deal and the dollars spent to arrange it meant that much of the value of the tax credit would go to the equity partners and not pass through to our consumers. Given the facts and the absence of a comparable incentive for consumer-owned utilities, TID made the best choice it could under the circumstances, even though it means our customers will pay more.

This legislation is necessary to prevent other public power utilities from being forced to make this difficult, unnecessary choice.

Public power utilities deserve access to renewable energy incentives comparable to those awarded to the private sector, and this legislation will assure that happens.

This legislation also expands the solar investment tax credit to include manufacturing equipment and solar water heaters for commercial and community pools.

The bill would allow equipment that makes solar panels to qualify for the 30 percent solar investment tax credit.

Solar panel manufacturing is moving offshore, to Germany and Asia, where support is considerable.

This financial incentive could jumpstart solar manufacturing in this country, and could lead to thousands of new jobs, such as those being created at Solyndra's new factory in Fremont, CA. Or those proposed by Applied Materials at their proposed facility near Los Angeles.

The bill would allow commercial pool solar hot water heaters to qualify for the solar tax credit.

Approximately 189,000 commercial pools nationwide—at hotels/motels, health clubs, and schools—use fossil fuel or electricity to heat an estimated 27 billion gallons of water.

If the heating systems were replaced with solar hot water systems, there would be 1.23 million metric tonnes of carbon dioxide emissions avoided annually.

That is the equivalent of taking 237,000 cars off the road.

In California, which has 26 percent of all commercial pools in the U.S., this provision could significantly reduce pollution.

Finally, the legislation would establish a new tax credit for the purchase, consolidation, and use of multiple, 100 acre or less blocks of high solarity, disturbed private lands for solar development.

Solar developers have focused development proposals on pristine public land because it is very difficult, costly, and time intensive to consolidate large blocks of disturbed private land from many different owners.

This tax credit will financially reward those firms that are willing to go through the trouble of land consolidation, thereby making the increased burden of private lands development more appealing.

Over the last few years, the renewable energy industry has grown dramatically.

Last year the U.S. added more new capacity to produce renewable electricity than it did to produce electricity from natural gas.

A great deal of this growth can be attributed to our renewable energy tax policies.

This legislation, I believe, would continue this growth into the future.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, and Mr. BENNETT):

S. 2901. A bill to improve the acquisition workforce through the establishment of an acquisition workforce fellows program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, along with Senators MCCASKILL and BENNETT, I rise to introduce two bills that would lay a strong foundation to improve the Federal acquisition system.

The first bill, the Acquisition Workforce Improvement Act of 2009, would create a federal acquisition management fellows program to develop a new generation of acquisition leaders with government-wide perspective, skills, and experience.

The second bill, the Federal Acquisition Institute Improvement Act of 2009, would institute much-needed organizational clarity to enable the Federal Acquisition Institute, FAI, to fulfill its mission of facilitating career development and strategic human capital management for the federal acquisition workforce.

The federal acquisition system is under tremendous stress. Between fiscal years 2000 and 2008, acquisition spending by the Federal Government expanded by 163 percent, from $205 billion to $539 billion. The rising costs of military operations, natural disasters, homeland security precautions, and other vital programs will drive those expenditures to even higher levels in the years ahead.

This prodigious level of purchasing creates abundant opportunities for fraud, waste, and abuse. We have seen far too many outrageous failures in government contracting, such as unusable trailers for hurricane victims, shoddy construction of schools and clinics in Afghanistan, or the installation of showers in Iraq for our troops that pose electric-shock hazards. These and other failures demand strong steps to protect taxpayer dollars and deliver better acquisition outcomes.

As a long-time advocate for stronger competition, accountability, and transparency in government contracting, I recognize and appreciate the steps the administration has taken recently to improve Federal contracting. Many of these initiatives originated from legislation I co-authored with Senator LIEBERMAN during the last Congress.

But no matter how many laws we pass or OMB guidance documents are issued, the effectiveness of our Federal acquisition system depends on a vital human component—the acquisition workforce.

While contract spending has risen dramatically, the number of acquisition professionals who help plan, award, and oversee these contracts has been stagnant. With roughly half of the current acquisition workforce eligible to retire over the next decade, the difficulties of strengthening that workforce will become increasingly acute. A well-trained and well-resourced acquisition workforce is critical to keeping pace with increased Federal spending and much more complex procurements of services and goods.

The two pieces of legislation I am introducing today would help to address these important long-term problems that we must solve to make our acquisition system healthy again.

First, the Acquisition Workforce Improvement Act of 2009 would create a centrally-managed Government-wide Acquisition Management Fellows Program that combines both a Master's degree-level academic curriculum and on-the-job training in multiple federal agencies. By partnering with leading universities that have specialized government acquisition programs, the government can attract top-caliber students who are interested in pursuing both academic advancement and public service.

Compared to the several existing agency-specific intern programs, this government-wide program would provide a unique and much-needed skill set that we currently do not have in sufficient number, that is, acquisition professionals with multi-agency and multi-disciplinary training who can understand and manage government-wide acquisition needs and perspectives.

Considering that interagency acquisition now accounts for approximately 40 percent of the entire contract spending and that GAO has designated the management of interagency contracting a high-risk area since 2005, it is without question that we need to develop future acquisition leaders who can understand government-wide needs and perspectives.

Specifically, the program would include the following: one academic year of full-time, on-campus training followed by 2 years of on-the-job and part-time training toward a Masters or equivalent graduate degree in related fields; and a curriculum that would include rotational assignments at three or more executive agencies covering, among other issues, acquisition planning, cost-estimating, formation and

post-award administration of ''high risk'' contract types, and interagency contracts.

Upon graduation, participants will have completed all required non-agency-specific training courses necessary for a basic contracting officer warrant.

In addition, participants would be required to enter into a service commitment appropriate in length to ensure the Federal Government receives a proper return on its investment. The service commitment would be no less than one year for each year in the program, and would require reimbursement of funds for those who do not successfully complete the program or do not fulfill the minimum service requirements.

It is also important to note that this program would be less expensive than its current alternative. Typically, existing agency career intern programs like those run by DHS or GSA hire interns at GS–5, –7, or –9 level, which pays between $33,000 and $66,000, for Washington, DC area. These interns also receive benefits and free training during this internship period.

The proposed program would not pay salaries during the training, but unlike the other programs, would award a graduate degree. Based on market research, this alternative money-saving arrangement would be able to attract top-notch candidates with both public and academic interests.

Second, the Federal Acquisition Institute Improvement Act of 2009 would strengthen the Federal Acquisition Institute, FAI, whose key responsibilities are to promote career development and strategic human capital management for the entire civilian acquisition workforce.

In part due to the lack of organizational clarity and the disproportionate funding compared to its counterpart in the Department of Defense, the FAI has remained largely underutilized.

The proposed legislation would establish a clear line of responsibility and accountability for the Institute by requiring that the Federal Acquisition Institute, through its Board of Directors, directly reports to the Office of Federal Procurement Policy; the director of FAI be appointed by the OFPP Administrator and report directly to the Associate Administrator for Acquisition Workforce at OFPP.

All existing civilian agency training programs fall under the purview of FAI. This would ensure consistent training standards necessary to develop uniform core competencies; and the OFPP Administrator would be required to report annually to Congressional committees of jurisdiction projected budget needs and expense plans of FAI to fulfill its statutory mandate.

With respect to its core government-wide functions, FAI would be required to provide and keep current government-wide training standards and certification requirements including—ensuring effective agency implementation of government-wide training and certification standards; analyzing the curriculum to ascertain if all certification competencies are covered or if adjustments are necessary; developing career path information for certified professionals to encourage retention in government positions; and coordinating with the Office of Personnel Management for human capital efforts.

The administration has identified acquisition workforce development as a pillar for improving acquisition practices and contract performance. While I fully agree with this goal, we need specific and concrete action to solve this problem. It is also important to remember that it took the better part of two decades for the acquisition workforce to reach its current state and that it will likely take a similar amount of time to rebuild.

My legislation would prompt the sustained effort necessary to rebuild the acquisition workforce. While this will take time and investment, I am confident this is a wise investment that will yield substantial returns. Just think about it, if our better-trained acquisition professionals can prevent one failed procurement, it can save the taxpayer hundreds of millions of dollars. If they can avoid overpaying one percent of our contract spending, it will save the taxpayer more than 5 billion each year. The numbers speak for themselves.

The Acquisition Workforce Improvement Act and the Federal Acquisition Institute Improvement Act are critically needed and both enjoy bipartisan support. I encourage my colleagues to support them.

By Mr. FRANKEN (for himself, Ms. SNOWE, Mr. KERRY, Mr. LAUTENBERG, Mr. FEINGOLD, Mr. MENENDEZ, Mr. DURBIN, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mrs. BOXER, Mrs. MCCASKILL, Mr. HARKIN, and Mr. SCHUMER);

S. 2904. A bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities; to the Committee on Armed Services.

Mr. FRANKEN. Mr. President, the Compassionate Care for Servicewomen Act, which I am introducing today with my friend and colleague, Senator SNOWE, is a straightforward but vital piece of legislation. It would ensure that servicewomen in our military have reliable and timely access to emergency contraception when they need it.

Emergency contraception, or Plan B as it is more commonly known under its brand name, is Food and Drug Administration-approved medication that prevents pregnancy. It is safe and, if taken shortly after pregnancy, highly effective. Since 2006, the FDA has approved it for over-the-counter sale. Currently, women 17 years old and older may purchase emergency contraception over the counter, while those younger require a prescription.

Emergency contraception is widely available at pharmacies throughout the U.S.

The problem this legislation is meant to address is that there's no guarantee that emergency contraception be available to our servicewomen in the military. The military health care system includes what is called a basic core formulary, which lists the medications that must be stocked at all Department of Defense medical facilities, including those overseas. Emergency contraception is not currently on the basic core formulary.

Consequently, emergency contraception is not systematically and reliably available at all medical military facilities. It is allowed to be stocked at such facilities, so it is available in some places. In that regard, the bill that Senator SNOWE and I are introducing today is not a dramatic departure from existing practice.

But there is no guarantee that a servicewoman will have access to it. Immediate accessibility is especially important in the case of emergency contraception because it is only effective if taken within a short window of time. Once a pregnancy is established, it doesn't work.

There is no good reason why servicewomen shouldn't have the same access to emergency contraception that civilians here in the U.S. have.

That is just what this legislation would do. It would guarantee that all military health care treatment facilities stock emergency contraception by placing that medication on the basic core formulary.

All servicewomen should be able to have access to emergency contraception in order to prevent unwanted pregnancy. The fact that more than 2,900 sexual assaults were reported last year in the military only heightens the need to ensure emergency contraception is always available.

This is legislation that has been endorsed by a wide range of organizations both in Minnesota and nationally.

I hope that my colleagues will join me in supporting this commonsense legislation. I thank Senator SNOWE for joining me in introducing this bill, and I thank all my colleagues who have signed on as cosponsors.

Mr. President, I ask unanimous consent that the text of the bill and a list of supporters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2904

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Compassionate Care for Servicewomen Act''.

SEC. 2. REQUIREMENT TO MAKE AVAILABLE EMERGENCY CONTRACEPTION AT ALL MILITARY HEALTH CARE TREATMENT FACILITIES.

Section 1074g(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(9)(A) Emergency contraception in drug form shall be included on the basic core formulary of the uniform formulary, notwithstanding any provision of law or regulation requiring that only drugs ordered or prescribed by a physician (or other authorized provider) may be included in the uniform formulary. Emergency contraception in other than drug form may also be included on the basic core formulary, notwithstanding any such provision.

''(B) Nothing in subparagraph (A) may be construed to require emergency contraception to be covered under the pharmacy benefits program.

''(C) Notwithstanding paragraph (4), prior authorization shall not be required for emergency contraception. Nothing in the preceding sentence may be construed as waiving any provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or any other provision of law administered by the Food and Drug Administration, including rules and orders of such Administration in effect at any time under such Act or other provisions of law.

''(D) In this paragraph, the term 'emergency contraception' means a drug, drug regimen, or device that is—

''(i) approved by the Food and Drug Administration to prevent pregnancy; and

''(ii) used postcoitally.''.

MINNESOTA AND NATIONAL ORGANIZATIONS THAT HAVE ENDORSED THE COMPASSIONATE CARE FOR SERVICEWOMEN ACT

MINNESOTA

NARAL Pro-Choice Minnesota
Minnesota Nurses Association
Minnesota Medical Association
Planned Parenthood Minnesota, North Dakota, South Dakota
Minnesota Indian Women's Sexual Assault Coalition
Minnesota Coalition Against Sexual Assault
Sexual Violence Center
Minnesota National Organization for Women
Pro Choice Resources
Midwest Health Center for Women
Religious Coalition for Reproductive Rights

NATIONAL

NARAL Pro-Choice America
SWAN: Servicewomen's Action Network
National Council of Women's Organizations (NCWO)
National Partnership for Women and Families
Women's Research & Education Institute (WREI)
American Association of University Women
National Coalition against Domestic Violence
American Civil Liberties Union
American College of Obstetricians and Gynecologists
American Association of University Women
American Society for Reproductive Medicine
Center for Reproductive Rights
National Council of Jewish Women
National Family Planning & Reproductive Health Association (NFPRHA)
National Organization for Women
National Partnership for Women & Families
Planned Parenthood Federation of America
Population Connection
Religious Coalition for Reproductive Choice
Reproductive Health Technologies Project
Speaking Out Against Rape (SOAR)
National Women's Law Center
National Research Center for Women and Families

By Mr. INOUYE:

S. 2905. A bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment; to the Committee on Finance.

Mr. INOUYE. Mr. President, today I rise to introduce legislation to repeal the current 50 percent tax deduction for business meals and entertainment expenses, and to restore the tax deduction to 80 percent for all taxpayers. In 1986, the Congress reduced the allowable tax deduction for business meals and entertainment from 100 percent to 80 percent. In 1993, the Congress again reduced the deduction to 50 percent. Restoration of this deduction is essential to the livelihood of small and independent businesses as well as the food service, travel, tourism, and entertainment industries throughout the United States. These industries are being economically harmed as a result of the 50 percent tax deduction.

At a time when the nation is getting back on a stronger economic footing, the legislation is particularly critical especially for the small businesses and self-employed individuals that depend so heavily on the business meal to conduct business. Small companies often use restaurants as ''conference space'' to conduct meetings or close deals. Meals are their best, and sometimes only, marketing tool. Certainly, an increase in the meal and entertainment deduction would have a significant impact on a small businesses bottom line. In addition, the effects on the overall economy would be significant.

Accompanying my statement is the National Restaurant Association's, NRA, State-by-State chart reflecting the estimated economic impact of increasing the business meal deductibility from 50 percent to 80 percent. The NRA estimates that an increase to 80 percent would increase business meal sales by $6 billion and create an $18 billion increase to the overall economy.

I urge my colleagues to join me in cosponsoring this important legislation.

Mr. President, I ask unanimous consent that the text of the bill and a State-by-State chart be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2905

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

SECTION 1. REPEAL OF REDUCTION IN BUSINESS MEALS AND ENTERTAINMENT TAX DEDUCTION.

(a) IN GENERAL.—Section 274(n)(1) of the Internal Revenue Code of 1986 (relating to only 50 percent of meal and entertainment expenses allowed as deduction) is amended by striking ''50 percent'' and inserting ''80 percent''.

(b) CONFORMING AMENDMENT.—Section 274(n) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(c) CLERICAL AMENDMENT.—The heading for section 274(n) of the Internal Revenue Code of 1986 is amended by striking ''ONLY 50 PERCENT'' and inserting ''PORTION''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

ESTIMATED IMPACT OF INCREASING BUSINESS MEAL DEDUCTIBILITY FROM 50% TO 80%

State	Increase in Business Meal Spending 50% to 80% Deductibility (in millions)	Total Economic Impact In the State (in millions)	Total Employment Impact In the State (number of jobs created)
Alabama	$77	$155	$2,464
Alaska	17	29	401
Arizona	118	235	3,125
Arkansas	43	87	1,451
California	767	1,797	20,868
Colorado	114	264	3,328
Connecticut	71	133	1,624
Delaware	19	35	402
District of Columbia	31	43	254
Florida	368	745	9,746
Georgia	193	446	5,642
Hawaii	44	86	1,154
Idaho	24	47	799
Illinois	256	610	7,207
Indiana	117	241	3,712
Iowa	47	95	1,544
Kansas	46	92	1,314
Kentucky	78	158	2,266
Louisiana	81	158	2,374
Maine	24	46	709
Maryland	113	235	2,750
Massachusetts	161	324	3,884
Michigan	171	341	5,272
Minnesota	105	240	3,270

ESTIMATED IMPACT OF INCREASING BUSINESS MEAL DEDUCTIBILITY FROM 50% TO 80%—Continued

State	Increase in Business Meal Spending 50% to 80% Deductibility (in millions)	Total Economic Impact In the State (in millions)	Total Employment Impact In the State (number of jobs created)
Mississippi	41	78	1,340
Missouri	115	256	3,512
Montana	20	39	682
Nebraska	31	64	1,048
Nevada	71	127	1,703
New Hampshire	29	53	653
New Jersey	170	367	4,139
New Mexico	37	66	1,079
New York	379	751	8,855
North Carolina	176	371	5,435
North Dakota	11	20	333
Ohio	217	466	6,978
Oklahoma	60	127	2,016
Oregon	82	169	2,274
Pennsylvania	212	478	6,311
Rhode Island	24	45	598
South Carolina	87	179	2,689
South Dakota	14	27	458
Tennessee	121	272	3,531
Texas	477	1,164	14,109
Utah	41	92	1,375
Vermont	11	19	288
Virginia	157	331	4,155
Washington	129	279	3,419
West Virginia	28	47	830
Wisconsin	100	210	3,399
Wyoming	10	16	293

Source: National Restaurant Association estimates, 2009.

By Mr. FEINGOLD (for himself, Mr. MCCAIN, and Mr. LIEBERMAN):

S.J. Res. 23. A joint resolution disapproving the rule submitted by the Federal Election Commission with respect to travel on private aircraft by Federal candidates; to the Committee on Rules and Administration.

Mr. FEINGOLD. Mr. President, the very first bill debated on the floor of the Senate after the 2006 elections was S. 1, the Honest Leadership and Open Government Act of 2007, HLOGA. About 9 months later, President Bush signed that bill into law as Public Law Number 110–81. It was the most sweeping ethics reform legislation since Watergate, and it passed both houses of Congress by a wide margin—the final votes were 411–8 in the House and 83–14 in the Senate.

The new law contained, among many other provisions, significant reforms to the lobbying disclosure laws, a tough new prohibition on gifts from lobbyists, improvements to the revolving door rules, and new restrictions on privately funded fact-finding trips. It also contained new rules on personal, official, and campaign travel on non-commercial aircraft, often known as ''corporate jets.'' Prior to HLOGA, members who flew on corporate jets, often accompanied by corporate lobbyists, were required to reimburse the owner of the aircraft only the amount that they would have paid to fly first class between the origin and destination of the flight. HLOGA provided that Senators and presidential candidates would have to reimburse such travel at the charter rate. House members were prohibited from flying on non-commercial aircraft altogether.

Because Senators travel in different capacities, HLOGA addressed the issue in separate sections. Section 544(c) of the bill amended the Senate Rules XXXV and XXXVIII to address official and personal travel by Senators. The House had already amended its rules at the very beginning of the year. Section 601 dealt with campaign travel for both House and Senate candidates by amending the Federal Election Campaign Act, ''FECA''.

Both the House and the Senate have been living under these new rules for over two years. No House member has flown on a corporate jet, as far as we know. Senators, whether they were traveling in personal, official, or campaign capacity, and regardless of who was paying for the trip, have flown on them only if they were prepared to pay the charter rate for these trips. Presidential candidates in the last campaign abided by the new rules as well.

Because HLOGA made amendments to the FECA on this issue, the FEC started a rulemaking shortly after its enactment to implement the new provision. But at the end of 2007, just as the agency was poised to put new regulations in place, the terms of several recess-appointed Commissioners expired. A stalemate ensued that left the agency without a quorum to do business until the summer of 2008. Once a full slate of Commissioners was in place, the agency deadlocked on issuing final regulations. The three new Republican commissioners refused to sign off on the rules that the Commission had been prepared to adopt in December 2007. The deadlock was resolved only a few weeks ago, when a Democratic Commissioner reluctantly agreed to go along with modifications that the Republicans proposed. See Statement of Chairman Steven T. Walther, Campaign Travel Regulations, Nov. 19, 2009. The new rule was published in the Federal Register on December 7, 2009. Federal Election Commission, Notice 2009–27, Campaign Travel, 74 Fed. Reg. 63951, Dec. 7, 2009.

I will put this as simply as I can. The new FEC rule relating to travel on noncommercial aircraft is an outrage. Rather than respecting the intent of Congress in HLOGA to address all travel on corporate jets by members of Congress and presidential candidates, the FEC has carved a loophole in the statute for travel by candidates on behalf of someone other than their own campaigns. No one in the House or the Senate contemplated this exception when the bill was passed. No one discussed it. No one considered it. The FEC just made it up. Now we in Congress have no choice but to take action to correct it if the FEC refuses to do so.

We cannot let a lawless agency undermine our effort to police ourselves, to end a practice that exposed Congress to public criticism and even ridicule. Some Senators and House members may have agreed to kick the corporate jet habit reluctantly, but they have learned to live with it. There is no need for the loophole the FEC has opened. It is contrary to the statutory language and to the legislative history. It must be closed.

So today, I will introduce, along with my colleagues from Arizona, Connecticut, and New York, Senators MCCAIN, LIEBERMAN, and SCHUMER, all of whom played a key role in the enactment of HLOGA, a resolution of disapproval under the Congressional Review Act. This resolution, if passed by the House and signed by the President, will send the FEC back to the drawing board. After a rebuke of this kind, one can only hope that the Commission will craft a regulation that does not so completely ignore the letter and spirit of the provision we passed in HLOGA.

Let me take a minute to explain what the FEC has done and what it must do to correct its error. The new regulation takes the position that the key fact in determining what rate must be paid for a corporate jet flight is not who is flying, but who is paying for the flight. The explanation and justification, ''E&J'', adopted by the commission states:

[W]hen a presidential, vice-presidential, or Senate candidate, or a representative of the candidate, is traveling on behalf of another

political committee (such as a political party committee or Senate leadership PAC, rather than on behalf of the candidate's own authorized committee, the reimbursement for that travel is the responsibility of the political committee on whose behalf the travel occurs. If the political committee is other than an authorized committee or House candidate's leadership PAC, then the appropriate reimbursement rate for that political committee is set forth in new 11 CFR 100.93(c)(3), discussed below. In such cases, the presidential, vice-presidential, or Senate candidate or candidate's representative, is treated the same as any other person traveling on behalf of the political committee.

74 Fed. Reg. at 63955. That rate for such a trip, under an FEC regulation promulgated in 2003, is the first class rate unless regularly scheduled commercial air service is not available between the origin and the destination of the flight. The E&J also reiterates that leadership PACs of Senators and Presidential candidates can continue to pay the first class rate, even for the candidates themselves.

In addition, although House leadership PACs are prohibited from taking advantage of this loophole, the E&J makes clear that House candidates can do so if they are traveling on behalf of a political party committee or a Senate or presidential candidate, even though they are otherwise completely prohibited from traveling on a corporate jet. The loophole seems to apply to House members even if they are traveling on behalf of a corporate PAC.

In a recent article in the Capitol Hill newspaper Roll Call, FEC Commissioner Matthew Peterson attempted to explain the FEC's decision. He argues that the loophole is compelled by the statutory language, which is structured to prohibit an expenditure for any flight by a Senate candidate or the candidate's authorized committee unless the charter rate is paid for that flight. This interpretation ignores specific language in section 601 that requires payment of the charter rate by ''the candidate, the authorized committee, or other political committee'' and the lack of any language in the statute or the legislative history suggesting that Congress meant to leave open a way for Senators to travel on corporate jets without paying the charter rate.

Moreover, it ignores the clear intent of the two provisions of HLOGA concerning travel on private aircraft—to prohibit all corporate jet flights by Senators unless the charter rate is paid. There are literally more than a dozen statements by supporters of the bill that make this intent clear. The FEC chose to ignore the clear purpose of the bill in favor of a strained interpretation of the statutory language that flies in the face of that purpose. That is unacceptable. The FEC's duty is to implement the statute as Congress intended it. Its job is to give guidance to candidates and others who want to follow the law, not to provide a roadmap for evading it.

For the convenience of my colleagues, my staff has collected statements from the floor debate on HLOGA that show beyond any doubt that the corporate jet provisions were intended to apply to all travel on corporate jets by Senators without regard to who is reimbursing the jet owner. One Senator said the following:

I understand that for many Members, these jets are an issue of convenience. They allow us to get home to our constituents, to our families, and to the events that are often necessary for our jobs. But in November, the American people told us very clearly they are tired of the influence special interest wields over the legislative process. The vast majority of Americans can't afford to buy cheap rides on corporate jets. They don't get to sit with us on 3-hour flights and talk about the heating bills they can't pay, or the health care costs that keep rising, or the taxes they can't afford, or their concerns about college tuition. They can't buy our attention, and they shouldn't have to. And the corporation lobbyists shouldn't be able to either. That is why we need to end this corporate jet perk if we are to pass real, meaningful ethics reform.

Cong. Rec. at S263, Jan. 9, 2007. The speaker of those words, which make plain that the intent of the provision was to completely eliminate subsidized travel on corporate jets, was then-Senator Barack Obama. This strongly suggests that the President of the United States will sign the resolution of disapproval once we pass it.

Notwithstanding my strong feelings about the part of the FEC rule I have just discussed, significant portions of the rule are unexceptional. The intent of this resolution of disapproval under the Congressional Review Act is solely to reverse the FEC's decision to open a loophole in the requirements for corporate jet travel by members of Congress and their staffs. So we do not intend to disable the FEC from putting out a new regulation, only from including a gaping loophole in it.

I note this because the Congressional Review Act only allows Congress to disapprove, and therefore make ineffective, an entire regulation. It states that the agency may not promulgate a rule that is ''substantially the same'' as the old one without new congressional authorization. I want to be clear that the loophole created by the FEC's recent rule is so significant that a rule that is otherwise identical to the entire campaign travel regulation, but that does not contain the loophole that this resolution is designed to disapprove, should not be considered to be ''substantially the same'' as the previous rule, even though other portions of that rule may be re-promulgated unchanged.

The Congressional Review Act has only once been successfully used to overturn an agency regulation. Thus, there is little experience to fall back on to determine the consequences for future agency action of a successful disapproval resolution. Morton Rosenberg, a long time analyst at the Congressional Research Service, includes the following useful analysis in his 2008 assessment of the CRA:

A review of the CRA's statutory scheme and structure, the contemporaneous congressional explanation of the legislative intent with respect to the provisions in question, the lessons learned from the experience of the March 2001 disapproval of the OSHA ergonomics rule, and the application of pertinent case law and statutory construction principles suggests that (1) It is doubtful that Congress intended that all disapproved rules would require statutory reauthorization before further agency action could take place. For example, it appears that Congress anticipated further rulemaking, without new authorization, where the statute in question established a deadline for promulgating implementing rules in a particular area. In such instances, the CRA extends the deadline for promulgation for one year from the date of disapproval. (2) A close reading of the statute, together with its contemporaneous congressional explication, arguably provides workable standards for agencies to reform disapproved regulations that are likely to be taken into account by reviewing courts. Those standards would require a reviewing court to assess both the nature of the rulemaking authority vested in the agency that promulgated the disapproved rule and the specificity with which the Congress identified the objectionable portions of a rule during the floor debates on disapproval. An important factor in a judicial assessment may be the CRA's recognition of the continued efficacy of statutory deadlines for promulgating specified rules by extending such deadlines for one year after disapproval.

Congressional Research Service, Congressional Review of Agency Rulemaking: An Update and Assessment of The Congressional Review Act after a Decade, RL30116, May 8, 2008, at 30. Rosenberg notes that the fact that Congress specifically provided in the CRA for a one year extension of any statutory deadline for a rule that has been overturned by the CRA shows that Congress did not intend to disable an agency from issuing regulations on the same topic. Indeed, a Joint Explanatory Statement by the principal sponsors of the CRA in the House and Senate states the following:

The authors intend the debate on any resolution of disapproval to focus on the law that authorized the rule and make the congressional intent clear regarding the agency's options or lack thereof after enactment of a joint resolution of disapproval. It will be the agency's responsibility in the first instance when promulgating the rule to determine the range of discretion afforded under the original law and whether the law authorizes the agency to issue a substantially different rule. Then, the agency must give effect to the resolution of disapproval.

Joint Explanatory Statement of House and Senate Sponsors, 142 Cong. Rec. E 571, at E 577, daily ed. April 19, 1996; 142 Cong. Rec. S 3683, at S 3686 daily ed. April 18, 1996. It is the intent of this resolution of disapproval to invalidate the loophole that the FEC created in the E&J, but not to disable the FEC from issuing a new rule that properly implements Congress's intent in passing HLOGA.

My displeasure with the actions of the FEC over the past 7 years is well known. The agency has repeatedly failed to properly implement provisions of the Bipartisan Campaign Reform Act, BCRA, leading to its regulations being overturned by the courts numerous times. Indeed, because of the

agency's dismal record in the courts, some important BCRA regulations are still not in place 7½ years after BCRA's enactment. But the FEC's recent action on corporate jets may be its worst yet. Congress passed HLOGA with wide bipartisan support and clear intent. Because of the FEC's failure to issue rules promptly, members of Congress have been living under the terms of the statute alone with no misunderstanding of what it means. And yet, over two years after its enactment, the FEC has now created an unnecessary and wholly unjustified loophole in the statute. Congress must act to correct this egregious mistake.

I urge my colleagues to support this resolution of disapproval.

Mr. President, I ask unanimous consent that a collection of quotations concerning corporate jet provisions of HLOGA be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SELECTED STATEMENTS CONCERNING TRAVEL ON CORPORATE JETS FROM 2007 DEBATE ON HLOGA

Sen. Reid, 1/4/2007

Another critical aspect requiring reform is the ability of a Member to travel on a corporate jet and only pay the rate of a first class plane ticket. This bill requires Senators and their employees who use corporate or charter aircraft to pay the fair market value for that travel. While I appreciate that such a change is not popular with some of my colleagues, the time has come to fundamentally change the way we do things in this town. Much of the public views our ability to travel on corporate jets, often accompanied by lobbyists, while only reimbursing the first-class rate, as a huge loophole in the current gift rules. And they are right—it is. I have no doubt that the average American would love to fly around the country on very comfortable corporate-owned aircraft and only be charged the cost of a first-class ticket. It is a pretty good deal we have got going here. We need to face the fact that the time has come to end this Congressional perk. [Cong. Rec. S186]

Sen. Obama, 1/9/2007

The second area in which we need to go further is corporate jets. Myself and Senator Feingold introduced a comprehensive ethics bill that, among other things, would close the loopholes that allow for subsidized travel on corporate jets. Today, I am very pleased to see the majority leader has offered an amendment that would serve the same purpose. I fully support him in his effort.

Let me point out that I fully understand the appeal of corporate jets. Like many of my colleagues, I traveled a good deal recently from Illinois to Washington, from Chicago to downstate, from fundraisers to political events for candidates all across the country. I realize finding a commercial flight that gets you home in time to tuck in the kids at the end of a long day can be extremely difficult. This is simply an unfortunate reality that goes along with our jobs.

Yet we have to realize these corporate jets don't simply provide a welcome convenience for us; they provide undue access for the lobbyists and corporations that offer them. These companies don't just fly us around out of the goodness of their hearts. Most of the time we have lobbyists riding along with us so they can make their company's case for a particular bill or a particular vote.

It would be one thing if Congressmen and Senators paid the full rate for these flights, but we don't. We get a discount—a big discount. Right now a flight on a corporate jet usually costs us the equivalent of a first-class ticket on a commercial airplane. But if we paid the real price, the full charter rate would cost us thousands upon thousands of dollars more.

In a recent USA Today story about use of corporate jets, it was reported that over the course of 3 days in November 2005, BellSouth's jet carried six Senators and their wives to various Republican and Democratic fundraising events in the Southeast. If they had paid the full charter rate, it would have cost the Democratic and Republican campaign committees more than $40,000. But because of the corporate jet perk, it only cost a little more than $8,000.

There is going to be a lot of talk in the coming days about how important it is to ban free meals and fancy gifts, and I couldn't agree more, but if we are going to go ahead and call a $50 lunch unethical, I can't see why we wouldn't do the same for the $32,000 that BellSouth is offering in the form of airplane discounts. That is why I applaud Senator Reid on his amendment to require Members to pay the full charter rate for the use of corporate jets.

As I said, I understand that for many Members, these jets are an issue of convenience. They allow us to get home to our constituents, to our families, and to the events that are often necessary for our jobs. But in November, the American people told us very clearly they are tired of the influence special interest wields over the legislative process. The vast majority of Americans can't afford to buy cheap rides on corporate jets. They don't get to sit with us on 3–hour flights and talk about the heating bills they can't pay, or the health care costs that keep rising, or the taxes they can't afford, or their concerns about college tuition. They can't buy our attention, and they shouldn't have to. And the corporation lobbyists shouldn't be able to either. That is why we need to end this corporate jet perk if we are to pass real, meaningful ethics reform. [Cong. Rec. S263–4]

Sen. Feingold, 1/9/2007

When I introduced my lobbying reform bill back in July 2005, it included a provision addressing the abuse of Members flying on corporate jets. At that time, I have to say, it seemed like a fantasy that we would actually pass such a provision. I heard complaint after complaint about it, that we shouldn't do it.

Slowly but surely, many people have come around to where the public is: Corporate jet travel is a real abuse. Sure, it is convenient, but it is based on a fiction—that the fair market value of such a trip is just the cost of a first class ticket. And when that fiction is applied to political travel, it creates a loophole in the ban on corporate contributions that we have had in this country for over a century. Any legislation on corporate jets must include campaign trips as well as official travel because one thing is for certain—the lobbyist for the company that provides the jet is likely to be on the flight, whether it is taking you to see a factory back home or a fundraiser for your campaign.

Our bill does that. It covers all of the possible uses of corporate jets, and amends all of the Senate rules needed to put in place a strong reform, and the Federal election laws as well. From now on, if you want to fly on a corporate jet, you will have to pay the charter rate. And these flights shouldn't be an opportunity for the lobbyist or CEO of the company that owns the jet to have several hours alone with a Senator. Our bill prohibits that as well. This is what the American people have been calling for. There are no loopholes or ambiguities here. Politicians flying on private planes for cheap will be a thing of the past if we can get this provision into the bill. Senator Reid's amendment includes a tough corporate jet provision. I am pleased to support that portion of the amendment. This is a big deal, and I commend the majority leader for taking this step. [Cong. Rec. S267]

Sen. Lieberman, 1/10/2007

I am also very pleased that the majority leader has included in this amendment that I referred to an additional amendment, a strong provision on the use of corporate jets. This is a controversial, difficult matter. It is an issue that Senators McCain, Feingold, Obama, and I wanted to pursue last year when we took this up essentially in its predecessor form, but we were unable to do so once cloture was reached on the bill because the amendment was determined to be nongermane.

Under current law this is the reality. When a Member of Congress or a candidate for Federal office uses a private plane instead of flying on a commercial airline, the ethics rules, as well as the Federal Election Commission rules, require a payment to the owner of the plane equivalent to a first-class commercial ticket. The current rules undervalue flights on noncommercial jets and provide, in effect, a way for corporations and individuals to give benefits to Members beyond the limits provided for in our campaign finance laws. The Reid amendment would eliminate that loophole by requiring that the reimbursement be based on the comparable charter rate for a plane. [Cong. Rec. S320]

Sen. Sanders, 1/16/2007

Members of Congress do not need free lunches from lobbyists. Members of Congress do not need free tickets to ball games. And they do not need huge discounts for flights on corporate jets. Congress does need transparency in earmarks and holds, and we do need a new policy regarding the revolving door by which a Member one year is writing a piece of legislation and the next year finds himself or herself working for the company that benefited from the legislation he or she wrote. In other words, we need to pass the strongest ethics reform bill possible. But in passing this legislation, we need to understand this is not the end of our work but, rather, it is just the beginning, and much more needs to be done. [Cong. Rec. S553]

Sen. Reid, 1/16/2007

Let me say a word about corporate jets. The State of Nevada is very large areawise. The cities of Las Vegas and Reno are separated by about 450 miles. There is good travel between those two cities. But to get around the rest of the State is not easy. When you travel from Las Vegas to Reno, I again say it is easy. But then let's say you want to go to Elko. By Nevada standards, it is a pretty large city. Going on a commercial airplane, it is very, very, very difficult, and to go to Ely is next to impossible. These two cities, both important in their own right, have required on a number of occasions calling upon people you know who have an airplane to take us up there.

Under the old rules, you could pay first-class travel. An example of that is Senator Ensign and I, last August, had to go to Ely. It was extremely important. We were working on a piece of legislation that has since passed. We wanted to sit down in person and talk to the people in Ely about what we were doing.

For us to get there was very difficult. The time factor was significant. To drive up and back is 2 days, 1 day up, 1 day back. It was

complicated by the fact that Senator Ensign had a longstanding engagement in Reno. To go from Ely to Reno—it is hard to get there. If you drive very fast, you can make it in 6 hours. So I called a friend of mine, Mike Ensign, Senator Ensign's father. This good man has done very well in the business world. He is a man with limited education but a great mind. He started out working in somewhat menial jobs in the gaming industry. He worked his way up. He became a dealer, a pit boss, a shift boss, and then Mike Ensign moved into the corporate world and became an executive and then ultimately started buying hotel properties himself and has done very well. He is the principal officer and owner of Mandalay Bay, a huge company. It is the second largest hotel-casino operator in the country. I called him and I said: Mike, with one of your airplanes, can you fly me and your son to Ely?

He is a wonderful man, just the greatest guy. He said: Sure, I will be happy to do that. And he did that. He is an example of the type of people we have called upon for these airplanes.

I tell this story. I have used these airplanes a lot because I live in Nevada and because of other duties I have here. The reason I tell the Mike Ensign story is because Mike Ensign doesn't want anything from me. There isn't a thing in the world I can give this man. He is famous, he is rich, he has a wonderful family. I can't do anything to help Mike Ensign. He did this because he is my friend.

Most every—I should not say most. For every airplane I fly on, of course I don't have the relationship with them that I have with Mike Ensign, but I want everyone who has allowed me to use their airplanes to know I am not in any way denigrating them. They have done this out of the goodness of their heart. I have never had anyone say: I will give you an airplane ride if you give me something, or, I have a piece of legislation pending, will you help me with that? That has never happened. I want all these people to know that I am certainly not in any way disparaging these good people who have allowed me and others to fly on their airplanes.

What I am saying, though, is that in this world in which we live, because of all the corruption that has taken place in the last few years here in America, that you not only have to do away with what is wrong but what appears to be wrong. I am confident I have never been influenced by anyone who provided me with the courtesy of a private airplane, but I have come to the realization that this practice presents a major perception problem. It is a major perception problem because the American people have the right to insist that we do what seems right as well as what is right. Does it appear it is OK? For us to fly around in these airplanes doesn't appear to be the right thing, no matter how good-hearted these people are, just like Mike Ensign. So because a perception isn't right, this amendment is pending, and it means Senators should pay the full fare when they fly on someone's private airplane. [Cong. Rec. S548–9]

Sen. Levin, 1/25/2007

Strong travel restrictions are also an essential component of this bill. The new rules will ensure that Members traveling on corporate jets would have to reimburse at the charter rate, not as is now the case merely at the level of a first class commercial ticket. [Cong. Rec. S1185]

Sen. Reid, 6/26/2007

The American people responded at the polls last November with a clear message that they wanted a new direction, and we, the Democrats, responded by passing the most sweeping ethics and lobbying reform in a generation. We did it with the help of the minority. I do not say that lightly. But let's see what is in this bill. Let's review it for a bit to find out what this bill does.

It prohibits lobbyists and entities that hire lobbyists from giving gifts to lawmakers and their staffs. It prevents corporations and other entities that hire lobbyists from paying for trips for Members or staffs. And it prohibits lobbyists from participating in or paying for any such trips. It requires Senators to pay fair market value prices for charter flights, which put an end to the abuses of corporate travel.

Many people in this Chamber flew in corporate jets and paid first-class airfare. That did not corrupt any Members of Congress, but it was corrupting. It didn't look right, and therefore it is important it be stopped. And I hope it stopped. We need legislation to make sure it is stopped. [Cong. Rec. S8400]

Sen. Klobuchar, 7/31/2007

This ethics bill, as many outside groups have stated, is the most sweeping ethics reform we have seen since Watergate. It is about banning gifts and free meals. It is about not allowing people to take advantage of corporate jets. It is about bringing transparency to the earmark process. [Cong. Rec. S10401]

Sen. Obama, 8/2/2007

In January, I came back with Senator Feingold, and we set a high bar for reform. I am pleased to report that the bill before us today comes very close to what we proposed. By passing this bill, we will ban gifts and meals and end subsidized travel on corporate jets; we will close the revolving door between Pennsylvania Avenue and K Street; and we will make sure the American people can see all the pet projects lawmakers are trying to pass before they are actually voted on. [Cong. Rec. S10692]

Sen. Levin, 8/2/2007

Strong travel restrictions are also an essential component of this bill. The new rules will ensure that Members traveling on corporate jets would have to pay for them at the charter rate, not at the current level of a first class commercial ticket, which is but a fraction of the cost. [Cong. Rec. S10703]

Sen. Feinstein, 8/2/2007

Section 544 includes a separate provision relating to flights on private jets. This provision requires Senators to pay full market value—defined as charter rates—for flights on private jets, with an exception for jets owned by immediate family members (or non-public corporations in which the Senator or an immediate family member has an ownership interest).

In general, the changes made by section 544 go into effect 60 days after enactment, or the date that the Select Committee on Ethics issues the required guidelines under the rule, whichever is later. Until the new rules take effect, the existing rules for travel will remain in place. In light of the transition to the new rule relating to reimbursement for flights on private jets and the lack of experience in many offices in determining ''charter rates,'' the Select Committee on Ethics may treat reimbursement at current rates as reimbursement at charter rates for a transition period not to exceed 60 days.

Section 601 amends the Federal Election Campaign Act to require that candidates, other than those running for a seat in the House of Representatives, pay the fair market value of airfare when using non-commercial jets to travel. Fair market value is to be determined by dividing the fair market value of the charter fare of the aircraft, by the number of candidates on the flight. This provision exempts aircraft owned or leased by candidates or candidates' immediate family members (or non-public corporations in which the Senator or his or her immediate family member has an ownership interest). The bill prohibits candidates for the House of Representatives from any campaign use of privately-owned, non-chartered jets.

Many candidates are not accustomed to determining charter rates. The FEC may, during a transition period of no more than 60 days, deem reimbursement at current rates to be charter rates while committees determine how to calculate charter rates. [Cong. Rec. S10713]

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 377—CONGRATULATING THE UNIVERSITY OF NORTH CAROLINA TAR HEELS FOR WINNING THE 2009 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION FIELD HOCKEY NATIONAL CHAMPIONSHIP–

Mrs. HAGAN (for herself and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 377

Whereas on November 22, 2009, the University of North Carolina defeated the University of Maryland by a score of 3-2 to win the 2009 National Collegiate Athletic Association (NCAA) Field Hockey National Championship;

Whereas the University of North Carolina Tar Heels finished the season with an overall record of 20-2, and an Atlantic Coast Conference (ACC) regular season record of 4–1;

Whereas the University of North Carolina's Illse Davids, Katelyn Falgowski, Danielle Forword, Jackie Kintzer, and Kelsey Kolojejchick were named to the 2009 All-ACC first team;

Whereas Kelsey Kolojejchick was named the ACC Rookie of the Year;

Whereas the Tar Heels entered the NCAA tournament ranked third, behind the only 2 teams to which they had lost during the regular season, the University of Virginia and the University of Maryland;

Whereas the Tar Heels defeated the University of Virginia by a score of 3–2 in the national semi-final game;

Whereas the defending national champion and top-ranked University of Maryland entered the NCAA championship game with an undefeated 23–0 record;

Whereas the University of North Carolina kept the University of Maryland scoreless during the first period, despite being outshot 8–1;

Whereas senior captain Danielle Forword lifted the Tar Heels to victory in the championship game on a game-winning goal with 11.7 seconds remaining;

Whereas the Tar Heels overcame a previous 4–1 loss during the regular season to the University of Maryland;

Whereas the University of North Carolina's Illse Davids, Katelyn Falgowski, Danielle Forword, and Jackie Kintzer were named to the 2009 NCAA All-Tournament Team;

Whereas the University of North Carolina's Katelyn Falgowski, Jackie Kintzer, and Kelsey Kolojejchick were named first team All-Americans by the National Field Hockey Coaches Association;

Whereas Kelsey Kolojejchick became the first Tar Heel freshman to earn first-team All-America honors;

Whereas the University of North Carolina's Illse Davids and Danielle Forword were

named second team All-Americans, with Melanie Brill named to the third team;

Whereas 31 North Carolina players have earned first-team All-America honors on 43 occasions;

Whereas Coach Karen Shelton was named as the South Region Coach of the Year by the National Field Hockey Coaches Association; and,

Whereas the University of North Carolina made its 26th NCAA Tournament appearance and won the school's sixth NCAA field hockey championship: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of North Carolina on winning the 2009 National Collegiate Athletic Association Field Hockey National Championship;

(2) recognizes the achievement of the players, coaches, and students, as well as their dedication to excellence that helped propel the field hockey team to win the championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the chancellor of the University of North Carolina, H. Holden Thorp;

(B) the athletic director of the University of North Carolina, Dick Baddour; and

(C) the head coach of the University of North Carolina field hockey team, Karen Shelton.

SENATE RESOLUTION 378—CONGRATULATING THE UNIVERSITY OF NORTH CAROLINA TAR HEELS FOR WINNING THE 2009 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION WOMEN'S SOCCER NATIONAL CHAMPIONSHIP

Mrs. HAGAN (for herself and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 378

Whereas on December 6, 2009, the University of North Carolina defeated Stanford University by a score of 1–0 to win the 2009 National Collegiate Athletic Association (NCAA) Women's Soccer National Championship;

Whereas the Tar Heels finished the regular season third in the Atlantic Coast Conference (ACC) with a conference record of 7–3–0 and an overall record of 14–3–1;

Whereas the University of North Carolina's Whitney Engen was named ACC Defensive Player of the Year;

Whereas the University of North Carolina's Whitney Engen, Ashlyn Harris, and Tobin Heath were named to the 2009 All-ACC first team;

Whereas the University of North Carolina's Ali Hawkins and Jessica McDonald were named to the 2009 All-ACC second team;

Whereas the third-seeded Tar Heels won the 2009 ACC Women's Soccer Championship with a 3–0 victory over Florida State University, winning the 20/th/ ACC Tournament Championship in the school's history;

Whereas the University of North Carolina's Casey Nogueira was named the Most Valuable Player of the 2009 ACC Championship;

Whereas the University of North Carolina's Casey Nogueira, Ashlyn Harris, Kristi Eveland, Whitney Engen, and Tobin Heath were each named to the 2009 ACC Women's Soccer All-Tournament Team;

Whereas Stanford University entered the National Championship game with an undefeated 25–0 record;

Whereas the University of North Carolina's Jessica McDonald scored the decisive goal in the third minute of the National Championship game on an assist from Casey Nogueira and Tobin Heath;

Whereas the Tar Heels withstood a furious second-half Stanford rally, with the University of North Carolina's goalkeeper Ashlyn Harris providing a key save to preserve the Tar Heels' victory;

Whereas Casey Nogueira was named the Most Valuable Player on Offense in the NCAA Women's College Cup for the second successive year;

Whereas Whitney Engen was named the Most Valuable Player on Defense in the NCAA Women's College Cup;

Whereas the University of North Carolina's Tobin Heath and Whitney Engen were named to the National Soccer Coaches Association of America All-America first team;

Whereas the University of North Carolina's 9 seniors completed their collegiate careers as the winningest senior class in the country, having won 3 National Championships and 4 ACC Tournament Championships with a combined overall record of 94–9–4;

Whereas the University of North Carolina's NCAA Tournament record stands at 106–7–1, and the University has won 93.4 percent of its NCAA Tournament competitions;

Whereas the University of North Carolina has participated in 23 of 28 NCAA Tournament Championship games played to date; and

Whereas the University of North Carolina has won 20 of the 28 NCAA Women's Soccer National Championships: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of North Carolina for winning the 2009 National Collegiate Athletic Association Women's Soccer National Championship;

(2) recognizes the achievement of the players, coaches, students, and staff of the University of North Carolina, whose perseverance and dedication to excellence helped propel the women's soccer team to win the championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the chancellor of the University of North Carolina, H. Holden Thorp;

(B) the athletic director of the University of North Carolina, Dick Baddour; and

(C) the head coach of the University of North Carolina women's soccer team, Anson Dorrance.

SENATE RESOLUTION 379—TO EXPRESS THE SENSE OF THE SENATE REGARDING THE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS FOR CLEAN ENERGY AND ENVIRONMENTAL TECHNOLOGY

Mrs. GILLIBRAND submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 379

Whereas the development and deployment of innovative clean energy and environmental technology is critical to addressing global climate change;

Whereas intellectual property rights are a key driver of investment and research and development in, and facilitate global deployment of, clean energy and environmental technology;

Whereas efforts to weaken intellectual property rights for clean technology would undermine the environmental objectives of climate change negotiations by reducing incentives for investment, innovation, and clean energy and environmental technology deployment required to meet those objectives;

Whereas weakened intellectual property right protections relating to clean energy and environmental technology could pose a substantial competitive risk to United States businesses and United States workers and inhibit the creation of new green jobs and the transition to a green economy for the 21st century; and

Whereas climate action presents a significant opportunity for international cooperation on clean technology development and deployment, with substantial environmental and economic benefits for all countries.

Now, therefore, be it

Resolved, That it is the sense of the Senate that the President of the United States should pursue opportunities for international cooperation in technology deployment, and should act to ensure that any treaty or other accord resulting from negotiations of the United Nations Framework Convention on Climate Change, done at New York on May 9, 1992 (or a successor agreement) does not weaken or undermine international legal rules and obligations in effect as of the date of enactment of this Act relating to the protection and enforcement of intellectual property rights for energy and environmental technology, including—

(1) wind, solar, biomass, geothermal, hydro, landfill gas, natural gas, marine, trash combustion, fuel cell, hydrogen, microturbine, nuclear, clean coal, electric battery, alternative fuel, alternative refueling infrastructure, advanced vehicle, electric grid, and energy efficiency-related technologies; and

(2) any other technologies covered by such an agreement.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3259. Mr. UDALL, of Colorado submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table.

SA 3260. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3261. Mrs. HAGAN submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3262. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3263. Mr. BAUCUS (for himself, Ms. SNOWE, Mr. CARPER, Mrs. LINCOLN, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3264. Mr. WYDEN (for himself, Mr. BROWN, Mr. SPECTER, Mr. KOHL, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2786 proposed

by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3259. Mr. UDALL of Colorado submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 396, between lines 8 and 9, insert the following:

SEC. 1___. STATE COURT INNOVATION PROJECT.

(a) GRANT.—

(1) IN GENERAL.—

(A) GRANT PROGRAM.—The Attorney General shall develop and implement a competitive grant program to improve the efficiency and lessen the costs and burdens of medical malpractice civil litigation for plaintiffs and defendants.

(B) ELEMENTS OF PROGRAM.—The grant program under subparagraph (A) shall be designed—

(i) to give State courts a mechanism for improving court rules and procedures, allowing parties to go to trial in more cost-effective ways and reducing the complexity and cost of litigation; and

(ii) to fund research and objective measurement, evaluation, and reporting of outcomes to identify innovative ways of promoting the resolution of medical malpractice cases in court or tried by jury in a more cost-effective and timely manner pursuant to clause (i).

(C) ELIGIBLE ENTITY.—To be eligible to receive a grant under subparagraph (A), an entity shall—

(i) be a nonprofit State court improvement organization that was incorporated or in existence before December 31, 2009, and which is experienced in developing State court improvement programs; and

(ii) submit to the Attorney General an application at such time, in such manner, and containing such information as the Attorney General may require.

(2) USE OF FUNDS.—A grant recipient under paragraph (1) shall use amounts awarded under the grant to conduct research and evaluations, develop rules and procedures designed to improve the efficiency and lessen the costs of medical malpractice litigation for plaintiffs and defendants, and to award subgrants to eligible entities to carry out activities—

(A) to conduct pilot projects;

(B) to increase the operating efficiency of State courts with respect to medical malpractice litigation;

(C) to conduct research to seek innovative ways to resolve medical malpractice litigation in State courts in a more cost-effective and timely manner; and

(D) to measures and report on outcomes with respect to activities funded under the subgrant.

(3) ELIGIBLE SUBGRANT ENTITY.—To be eligible to receive a subgrant under paragraph (2), an entity shall—

(A)(i) be a State or local governmental entity in a jurisdiction that permits jury trials for civil medical malpractice actions; or

(ii) be an academic institution; and

(B) submit an application at such time, in such manner, and containing such information as required by the recipient of the grant under paragraph (1), in accordance with any rules established by the Attorney General.

(4) REPORTING.—Not later than 2 years after receiving grant funds under this subsection, each grant recipient under paragraph (1) shall submit to the Attorney General a report that describes the activities conducted by the recipient under this section, including the activities of any subgrantees of such grant recipient under paragraph (2).

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SA 3260. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 522, between lines 2 and 3, insert the following:

SEC. 2603. PAYMENT FOR ILLEGAL UNAPPROVED DRUGS.

(a) FINDINGS.—Congress finds that each year, the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) pays millions of dollars in reimbursement for covered outpatient drugs that are not approved by the Food and Drug Administration under a new drug application under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)) or an abbreviated new drug application under section 505(j) of such Act, or that such drug is not subject such section 505 or section 512 due to the application of section 201(p) of such Act (21 U.S.C. 321(p)).

(b) LISTING OF DRUGS AND DEVICES.—Section 510 of the Food, Drug and Cosmetic Act (21 U.S.C. 360) is amended—

(1) in subsection (j)(1)(B)—

(A) in clause (i), by inserting ''in the case of a drug, the authority under this Act that does not require such drug to be subject to section 505 and section 512,'' after ''labeling for such drug or device,''; and

(B) in clause (ii), by inserting '', in the case of a drug, the authority under this Act that does not require such drug to be subject to section 505 and section 512,'' after ''for such drug or device''; and

(2) in subsection (f)—

(A) by striking ''(f) The Secretary'' and inserting the following:

''(f) INSPECTION BY PUBLIC OF REGISTRATION.—

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) LIST OF DRUGS THAT ARE NOT APPROVED UNDER SECTION 505 OR 512.—Not later than January 1, 2011, the Secretary shall make available to the public on the Internet website of the Food and Drug Administration a list that includes, for each drug described in subsection (j)(1)(B)—

''(A) the drug;

''(B) the person who listed such drug; and

''(C) the authority under this Act that does not require such drug to be subject to section 505 and section 512, as provided by such person in such list.''.

(c) PAYMENT FOR COVERED OUTPATIENT DRUGS.—Section 1927 of the Social Security Act (42 U.S.C. 1396r-8) is amended by inserting at the end the following:

''(1) CONDITION.—Beginning January 1, 2011, no State shall make any payment under this section for any covered outpatient drug unless such State first verifies with the Food and Drug Administration that such covered outpatient drug has been approved by the Food and Drug Administration under a new drug application under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)) or an abbreviated new drug application under section 505(j) of such Act, or that such drug is not subject such section 505 or section 512 due to the application of section 201(p) of such Act (21 U.S.C. 321(p)). The Secretary shall have the authority to proscribe regulations to create an information sharing protocol to allow States to verify that a covered outpatient drug has been approved by the Food and Drug Administration.''.

SA 3261. Mrs. HAGAN submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 722, after line 20, insert the following:

SEC. 3016. CULTURE OF SAFETY HOSPITAL ACCOUNTABILITY STUDY AND DEMONSTRATION PROGRAM.

(a) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study that—

(A) examines existing activities and programs in hospitals for quality assurance, patient safety, and performance improvement and provides an analysis regarding best practices with respect to such activities and programs; and

(B) identifies best practices that should be replicated in hospitals to improve patient safety and quality of care, consistent with the provisions included under the quality assessment and performance improvement program, as required under the conditions of participation for hospitals under Medicare.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall prepare a report containing the results of the study conducted under paragraph (1). Such report shall be made available on the Internet website of the Centers for Medicare & Medicaid Services.

(b) DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish the Culture of Safety Hospital Accountability demonstration program to provide support for establishing partnerships and other cooperative approaches between hospitals, State health care agencies, and the Department of Health and Human Services to promote and implement the best practices identified under subsection (a), with the goal of improving the safety and quality of care provided to Medicare beneficiaries and enhance compliance with the conditions of participation for hospitals under Medicare.

(2) DURATION.—The demonstration program shall operate during a period of 3 years, beginning not later than 12 months after completion of the report described in subsection (a)(2).

(3) SCOPE.—

(A) STATES.—The Secretary shall select not less than 4 States, but not more than 6 States, to participate in the demonstration program.

(B) HOSPITALS.—The Secretary shall select not more than 24 hospitals, within the States

selected under subparagraph (A), to participate in the demonstration program. The hospitals selected under this subparagraph shall satisfy criteria, as developed by the Secretary, indicating a need for substantial improvement in quality of care and patient safety.

(4) APPLICATION.—A State or hospital that desires to participate in the demonstration program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(5) IMPLEMENTATION.—

(A) TECHNICAL ASSISTANCE.—The Secretary shall provide participating hospitals with technical assistance in implementation of the best practices identified through the study under subsection (a).

(B) HOSPITAL SURVEYORS.—For each State participating in the demonstration program, the Secretary shall provide training to State surveyors that is designed to—

(i) enhance knowledge of the disciplines of patient safety, quality assessment, and performance improvement;

(ii) increase skill in evaluating compliance with quality assessment and performance improvement programs required under the conditions of participation for hospitals under Medicare; and

(iii) focus investigations of complaints regarding hospital care on the hospital's quality assessment and performance improvement program.

(6) EVALUATION.—For each State and hospital participating in the demonstration program, the Secretary shall evaluate the following:

(A) The level of implementation of the best practices identified under subsection (a) by the participating hospitals and whether adoption of such practices—

(i) improved quality and patient safety (including an analysis of changes in quality measures and other indicators of outcome and performance); and

(ii) resulted in a decrease in the seriousness or number of citations for deficiencies under the conditions of participation for hospitals under Medicare.

(B) The training provided to State surveyors and whether such training resulted in enhanced proficiency in evaluations of hospital quality assessment and performance improvement programs.

(7) REPORT.—Not later than 12 months after completion of the demonstration project, the Secretary shall submit to Congress a report containing an evaluation of the demonstration program, including—

(A) the findings of the evaluation under paragraph (6); and

(B) recommendations—

(i) in regard to whether the best practices identified under the demonstration program should be adopted by other hospitals, and how the Secretary can best promote adoption of such best practices;

(ii) in regard to whether the training for State surveyors developed under the demonstration program should be provided to all State surveyors; and

(iii) for such legislation and administrative action as the Secretary determines appropriate.

(8) WAIVER AUTHORITY.—The Secretary may waive such requirements under titles XI and XVIII of the Social Security Act as may be necessary to carry out the demonstration program.

(c) FUNDING.—For purposes of carrying out this section, the Secretary shall provide for the transfer from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) of $25,000,000, to the Centers for Medicare & Medicaid Services Program Management Account for the period of fiscal years 2010 through 2017. Amounts transferred under the preceding sentence shall remain available until expended.

(d) ALTERNATIVE REMEDIES.—Section 1866(b) of the Social Security Act (42 U.S.C. 1395cc(b)) is amended by adding at the end the following new paragraph:

''(5)(A) The Secretary is authorized to promulgate regulations that establish enforcement remedies that are in addition to, or in lieu of, termination of an agreement under this section for hospitals or critical access hospitals for violations of health and safety requirements under this title. Such remedies may include directed plans of correction that are designed to—

''(i) ensure compliance with requirements under this title (including conditions of participation for hospitals or critical access hospitals);

''(ii) prevent recurrence of non-compliance with such requirements; and

''(iii) improve the internal structures and processes within the hospital or critical access hospital for provision of continuous quality and safety enhancement.

''(B) The regulations described under subparagraph (A) may be promulgated by the Secretary before, during, or after the evaluation described under section 3016(b)(6) of the Patient Protection and Affordable Care Act.''.

(e) NON-APPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly referred to as the 'Paperwork Reduction Act of 1995') shall not apply to this section.

(f) DEFINITIONS.—In this section:

(1) DEMONSTRATION PROGRAM.—The term ''demonstration program'' means the Culture of Safety Hospital Accountability demonstration program conducted under this section.

(2) HOSPITAL.—The term ''hospital'' means—

(A) an institution described under section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e)); or

(B) a critical access hospital (as described under section 1861(mm)(1) of such Act (42 U.S.C. 1395x(mm)(1)).

(3) MEDICARE.—The term ''Medicare'' means the program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SA 3262. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 796, between lines 5 and 6, insert the following:

SEC. 3028. VOLUNTARY ACCELERATED SHARED SAVINGS PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall establish the Voluntary Accelerated Shared Savings Program (referred to in this section as the ''shared savings program'') under which health care providers that voluntarily report on quality measures, adopt quality-improving protocols or strategies, and achieve quality benchmarks are eligible for a shared savings payment.

(2) DURATION.—The shared savings program shall be conducted during the following periods:

(A) The hospital readmission reduction program, as described under subsection (d), shall—

(i) begin on such date as determined appropriate by the Secretary for implementation of the program, but not later than 6 months after the date of enactment of this Act; and

(ii) end not later than October 1, 2012.

(B) The hospital-acquired conditions reduction program, as described under subsection (e), shall—

(i) begin on such date as determined appropriate by the Secretary for implementation of the program, but not later than 6 months after the date of enactment of this Act; and

(ii) shall end not later than October 1, 2015.

(b) ELIGIBILITY; PARTICIPATION REQUIREMENTS.—

(1) ELIGIBILITY.—A hospital described in section 1886(q)(5)(C) of the Social Security Act, as added by section 3025, shall be eligible to participate in the shared savings program.

(2) APPLICATION.—A provider seeking to participate in the shared savings program shall submit an application to the Secretary, in such manner and containing such information as the Secretary may require, that includes a detailed description of the methods through which the provider expects to—

(A) reduce readmissions or hospital-acquired condition rates, as applicable;

(B) reduce costs; and

(C) integrate and coordinate such quality improvement efforts with post-acute providers.

(3) PARTICIPATION REQUIREMENTS.—A participating provider shall be required to—

(A) report on quality measures (as determined by the Secretary under subsection (c));

(B) satisfy applicable benchmarks for such quality measures; and

(C) demonstrate savings (as described in subsection (f)).

(c) QUALITY AND OTHER REPORTING REQUIREMENTS.—

(1) IN GENERAL.—The Secretary shall determine appropriate measures to assess the quality of care furnished by participating providers, such as measures of—

(A) clinical processes and outcomes;

(B) patient and, where practicable, caregiver experience of care; and

(C) utilization rates.

(2) INCORPORATION OF MEASURES.—For purposes of the measures described under paragraph (1), the Secretary may incorporate measures established—

(A) under sections 1848(k) and 1886(b) of the Social Security Act; and

(B) pursuant to any provision of this Act or amendment made by this Act.

(3) REPORTING REQUIREMENT.—A participating provider shall submit data in a form and manner specified by the Secretary on measures the Secretary determines necessary for the participating provider to report in order to evaluate the quality of care furnished by such provider.

(4) QUALITY PERFORMANCE STANDARDS.—The Secretary shall establish quality performance standards to assess the quality of care furnished by participating providers. The Secretary shall seek to improve the quality of care furnished by participating providers over time by specifying higher standards, new measures, or both for purposes of assessing such quality of care.

(d) HOSPITAL READMISSION REDUCTION PROGRAM.—

(1) HOSPITAL READMISSIONS RATE MEASURES.—For purposes of establishing measures under subsection (c) for the hospital readmission reduction program, the Secretary shall include measures for readmission rates established under 1886(b) of the Social Security Act (42 U.S.C. 1395ww(b)).

(2) BENCHMARK.—The Secretary shall establish a benchmark for reduction in the readmission rate for a hospital that is adjusted for geographic area, patient population characteristics, and such other factors as determined appropriate by the Secretary. The Secretary may establish a higher benchmark for hospitals with an annual readmission rate that is above the mean nationwide readmission rate.

(3) SHARED SAVINGS REQUIREMENTS.—A participating provider shall be eligible for a shared savings payment under subsection (f) if such provider—

(A) achieves the applicable benchmark established by the Secretary under paragraph (2); and

(B) has an annual readmission rate that is below the risk adjusted expected readmissions rate as determined under section 1886(q)(4)(C)(i)(II) of the Social Security Act (as added by section 3025).

(4) COMMUNITY-BASED ORGANIZATIONS.—The Secretary may permit a community-based organization, as described in section 3026(b)(1)(B), to receive shared savings payments under the hospital readmission reduction program if such an organization—

(A) satisfies the requirements described under section 3026; and

(B) is associated with a subsection (d) hospital (as described in section 3026(b)(1)(A)) that would be eligible for a shared savings payment under this section.

(e) HOSPITAL-ACQUIRED CONDITIONS REDUCTION PROGRAM.—

(1) HOSPITAL-ACQUIRED CONDITIONS RATE MEASURES.—For purposes of establishing measures under subsection (c) for the hospital-acquired conditions program, the Secretary shall establish measures that accurately determine rates of hospital-acquired conditions (as defined in section 1886(p) of the Social Security Act, as added by section 3008).

(2) REDUCTION IN HOSPITAL-ACQUIRED CONDITIONS BENCHMARK.—The Secretary shall establish a benchmark for reduction in the hospital-acquired conditions rate for a participating provider that is adjusted for geographic area, patient population characteristics, and such other factors as determined appropriate by the Secretary. The Secretary may establish a higher benchmark for hospitals with an annual hospital-acquired conditions rate that is above the mean nationwide hospital-acquired conditions rate.

(3) SHARED SAVINGS REQUIREMENTS.—A participating provider shall eligible for a shared savings payment under subsection (f) if such provider achieves the applicable benchmark established by the Secretary under paragraph (2).

(f) SHARED SAVINGS PAYMENTS.—

(1) IN GENERAL.—Under the shared savings program, payments shall continue to be made to participating providers under the original Medicare fee-for-service program under parts A and B in the same manner as they would otherwise be made except that a participating provider is eligible to receive payment for shared savings under paragraph (3) if—

(A) the provider meets quality performance standards established by the Secretary under subsection (c); and

(B) the provider meets the requirement under paragraph (2)(A).

(2) SAVINGS REQUIREMENT AND BENCHMARK.—

(A) DETERMINING SAVINGS.—Subject to subparagraph (C), in each year of the period under subsection (a)(2), a participating provider shall be eligible to receive payment for shared savings under paragraph (3) only if the estimated average per capita Medicare expenditures for such provider for Medicare fee-for-service beneficiaries for parts A and B services, adjusted for beneficiary characteristics, is at least the percent specified by the Secretary below the applicable benchmark under subparagraph (B).

(B) ESTABLISH AND UPDATE BENCHMARK.—The Secretary shall estimate a benchmark for each period under subsection (a)(2) for each participating provider using the most recent available 3 years of per-beneficiary expenditures for parts A and B services for Medicare fee-for-service beneficiaries served by the provider. Such benchmark shall be adjusted for beneficiary characteristics and such other factors as the Secretary determines appropriate and updated by the projected absolute amount of growth in national per capita expenditures for parts A and B services under the original Medicare fee-for-service program, as estimated by the Secretary.

(C) HIGHER BENCHMARK.—For purposes of subparagraph (A), the Secretary may require a greater percentage in savings below the benchmark established under subparagraph (B) for a participating provider with an annual readmission or hospital-acquired conditions rate, as applicable, that is above the mean nationwide rate (as described in subsections (e)(2) and (f)(2)).

(3) PAYMENTS FOR SHARED SAVINGS.—Subject to performance with respect to the quality performance standards established by the Secretary under subsection (c), if a participating provider meets the requirements under paragraphs (1) and (2), a percent (as determined appropriate by the Secretary) of the difference between such estimated average per capita Medicare expenditures in a year, adjusted for beneficiary characteristics, for the provider and such benchmark for the provider may be paid to the provider as shared savings and the remainder of such difference shall be retained by the Medicare program under title XVIII of the Social Security Act. The Secretary shall establish limits on the total amount of shared savings that may be paid to a participating provider under this paragraph.

(g) EARLY PARTICIPATION IN MEDICARE SHARED SAVINGS PROGRAM AND NATIONAL PILOT PROGRAM ON PAYMENT BUNDLING.—

(1) IN GENERAL.—For purposes of section 1866D of the Social Security Act (as added by section 3023) and section 1899 of such Act (as added by section 3022), the Secretary may establish a program to provide for early participation payments under such sections to eligible providers or groups of providers.

(2) ELIGIBILITY.—

(A) IN GENERAL.—Providers eligible for the early participation program under this subsection shall include—

(i) providers described under section 1866D(a)(2)(G) of the Social Security Act; and

(ii) providers that meet the requirements in section 1899(b) of such Act.

(B) WAIVER OF REQUIREMENTS.—Subject to subparagraph (C), for purposes of the early participation program under this subsection, the Secretary may waive—

(i) any requirements under section 1899 of the Social Security Act, except that the Secretary shall not waive—

(I) the requirements under subsection (b) of such section (with the exception of subparagraphs (B) and (D) of subsection (b)(2)); or

(II) the provisions under subsection (d) of such section.

(ii) any requirements under section 1866D of the Social Security Act, provided that the proposal submitted by the provider (as described under subparagraph (C)) adequately provides for—

(I) a plan for quality improvement that is consistent with subsection (c)(4) of such section; and

(II) a valid payment methodology that is consistent with subsection (c)(3) of such section.

(C) APPLICATION.—Providers seeking to participate in the early participation program under this section shall submit a proposal, in such manner and containing such information as the Secretary may require, that includes, for purposes of determining applicable payments under this section, a methodology for calculation of savings or determination of bundled payments.

(3) MEDICARE SHARED SAVINGS PROGRAM.—For purposes of section 1899 of the Social Security Act, a provider seeking to participate in the early participation program under this section shall, as part of the proposal described under paragraph (2)(C), provide a detailed plan for quality improvement that is consistent with the goals described under subsections (a) and (b)(3) of section 1899 of the Social Security Act.

(4) NATIONAL PILOT PROGRAM ON PAYMENT BUNDLING.—For purposes of section 1866D of the Social Security Act, a provider seeking to participate in the early participation program under this section shall, as part of the proposal described under paragraph (2)(C), provide a detailed plan in regard to the methods by which such provider will satisfy the objectives described under subsection (a)(1) of section 1866D of the Social Security Act, which shall include—

(A) a bundled payment methodology;

(B) methods by which quality of care will be improved; and

(C) a description of the conditions and services that are to be covered through the bundled payment.

(5) APPLICABLE PERIOD.—Any payments made to providers pursuant to early participation program under this section shall cease upon establishment of the programs described under sections 1866D and 1899 of the Social Security Act, except to the extent that providers are determined to be eligible for, and continue to participate in, the programs established under such sections.

SA 3263. Mr. BAUCUS (for himself, Ms. SNOWE, Mr. CARPER, Mrs. LINCOLN, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—ALTERNATIVE TO MEDICAL TORT LITIGATION

SEC. __01. SHORT TITLE.

This title may be cited as the ''Fair and Reliable Medical Justice Act''.

SEC. __02. PURPOSES.

The purposes of this title are—

(1) to restore fairness and reliability to the medical justice system by fostering alternatives to current medical tort litigation that promote disclosure of health care errors and provide prompt, fair, and reasonable compensation to patients who are injured by health care errors;

(2) to promote patient safety through disclosure of health care errors; and

(3) to support and assist States in developing such alternatives.

SEC. __03. STATE DEMONSTRATION PROGRAMS TO EVALUATE ALTERNATIVES TO CURRENT MEDICAL TORT LITIGATION.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.), as amended by this Act, is further amended by adding at the end the following:

"SEC. 399V–2. STATE DEMONSTRATION PROGRAMS TO EVALUATE ALTERNATIVES TO CURRENT MEDICAL TORT LITIGATION.

''(a) IN GENERAL.—The Secretary is authorized to award demonstration grants to States for the development, implementation, and evaluation of alternatives to current tort litigation for resolving disputes over injuries allegedly caused by health care providers or health care organizations. In awarding such grants, the Secretary shall ensure the diversity of the alternatives so funded.

''(b) DURATION.—The Secretary may award grants under subsection (a) for a period not to exceed 5 years.

''(c) CONDITIONS FOR DEMONSTRATION GRANTS.—

''(1) REQUIREMENTS.—Each State desiring a grant under subsection (a) shall develop an alternative to current tort litigation that—

''(A) allows for the resolution of disputes over injuries allegedly caused by health care providers or health care organizations; and

''(B) promotes a reduction of health care errors by encouraging the collection and analysis of patient safety data related to disputes resolved under subparagraph (A) by organizations that engage in efforts to improve patient safety and the quality of health care.

''(2) ALTERNATIVE TO CURRENT TORT LITIGATION.—Each State desiring a grant under subsection (a) shall demonstrate how the proposed alternative described in paragraph (1)(A)—

''(A) makes the medical liability system more reliable by increasing the availability of prompt and fair resolution of disputes;

''(B) encourages the efficient resolution of disputes;

''(C) encourages the disclosure of health care errors;

''(D) enhances patient safety by detecting, analyzing, and helping to reduce medical errors and adverse events;

''(E) improves access to liability insurance;

''(F) fully informs patients about the differences in the alternative and current tort litigation;

''(G) provides patients the ability to opt out of or voluntarily withdraw from participating in the alternative at any time and to pursue other options, including litigation, outside the alternative;

''(H) would not conflict with State law at the time of the application in a way that would prohibit the adoption of an alternative to current tort litigation; and

''(I) would not limit or curtail a patient's existing legal rights, ability to file a claim in or access a State's legal system, or otherwise abrogate a patient's ability to file a medical malpractice claim.

''(3) SOURCES OF COMPENSATION.—Each State desiring a grant under subsection (a) shall identify the sources from and methods by which compensation would be paid for claims resolved under the proposed alternative to current tort litigation, which may include public or private funding sources, or a combination of such sources. Funding methods shall to the extent practicable provide financial incentives for activities that improve patient safety.

''(4) SCOPE.—

''(A) IN GENERAL.—Each State desiring a grant under subsection (a) shall establish a scope of jurisdiction (such as Statewide, designated geographic region, a designated area of health care practice, or a designated group of health care providers or health care organizations) for the proposed alternative to current tort litigation that is sufficient to evaluate the effects of the alternative. No scope of jurisdiction shall be established under this paragraph that is based on a health care payer or patient population.

''(B) NOTIFICATION OF PATIENTS.—A State shall demonstrate how patients would be notified that they are receiving health care services that fall within such scope, and the process by which they may opt out of or voluntarily withdraw from participating in the alternative. The decision of the patient whether to participate or continue participating in the alternative process shall be made at any time and shall not be limited in any way.

''(5) PREFERENCE IN AWARDING DEMONSTRATION GRANTS.—In awarding grants under subsection (a), the Secretary shall give preference to States—

''(A) that have developed the proposed alternative through substantive consultation with relevant stakeholders, including patient advocates, health care providers and health care organizations, attorneys with expertise in representing patients and health care providers, medical malpractice insurers, and patient safety experts;

''(B) that make proposals that are likely to enhance patient safety by detecting, analyzing, and helping to reduce medical errors and adverse events; and

''(C) that make proposals that are likely to improve access to liability insurance.

''(d) APPLICATION.—

''(1) IN GENERAL.—Each State desiring a grant under subsection (a) shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require.

''(2) REVIEW PANEL.—

''(A) IN GENERAL.—In reviewing applications under paragraph (1), the Secretary shall consult with a review panel composed of relevant experts appointed by the Comptroller General.

''(B) COMPOSITION.—

''(i) NOMINATIONS.—The Comptroller General shall solicit nominations from the public for individuals to serve on the review panel.

''(ii) APPOINTMENT.—The Comptroller General shall appoint, at least 9 but not more than 13, highly qualified and knowledgeable individuals to serve on the review panel and shall ensure that the following entities receive fair representation on such panel:

''(I) Patient advocates.

''(II) Health care providers and health care organizations.

''(III) Attorneys with expertise in representing patients and health care providers.

''(IV) Medical malpractice insurers.

''(V) State officials.

''(VI) Patient safety experts.

''(C) CHAIRPERSON.—The Comptroller General, or an individual within the Government Accountability Office designated by the Comptroller General, shall be the chairperson of the review panel.

''(D) AVAILABILITY OF INFORMATION.—The Comptroller General shall make available to the review panel such information, personnel, and administrative services and assistance as the review panel may reasonably require to carry out its duties.

''(E) INFORMATION FROM AGENCIES.—The review panel may request directly from any department or agency of the United States any information that such panel considers necessary to carry out its duties. To the extent consistent with applicable laws and regulations, the head of such department or agency shall furnish the requested information to the review panel.

''(e) REPORTS.—

''(1) BY STATE.—Each State receiving a grant under subsection (a) shall submit to the Secretary an annual report evaluating the effectiveness of activities funded with grants awarded under such subsection. Such report shall, at a minimum, include the impact of the activities funded on patient safety and on the availability and price of medical liability insurance.

''(2) BY SECRETARY.—The Secretary shall submit to Congress an annual compendium of the reports submitted under paragraph (1) and an analysis of the activities funded under subsection (a) that examines any differences that result from such activities in terms of the quality of care, number and nature of medical errors, medical resources used, length of time for dispute resolution, and the availability and price of liability insurance.

''(f) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance to the States applying for or awarded grants under subsection (a).

''(2) REQUIREMENTS.—Technical assistance under paragraph (1) shall include—

''(A) guidance on non-economic damages, including the consideration of individual facts and circumstances in determining appropriate payment, guidance on identifying avoidable injuries, and guidance on disclosure to patients of health care errors and adverse events; and

''(B) the development, in consultation with States, of common definitions, formats, and data collection infrastructure for States receiving grants under this section to use in reporting to facilitate aggregation and analysis of data both within and between States.

''(3) USE OF COMMON DEFINITIONS, FORMATS, AND DATA COLLECTION INFRASTRUCTURE.—States not receiving grants under this section may also use the common definitions, formats, and data collection infrastructure developed under paragraph (2)(B).

''(g) EVALUATION.—

''(1) IN GENERAL.—The Secretary, in consultation with the review panel established under subsection (d)(2), shall enter into a contract with an appropriate research organization to conduct an overall evaluation of the effectiveness of grants awarded under subsection (a) and to annually prepare and submit a report to Congress. Such an evaluation shall begin not later than 18 months following the date of implementation of the first program funded by a grant under subsection (a).

''(2) CONTENTS.—The evaluation under paragraph (1) shall include—

''(A) an analysis of the effects of the grants awarded under subsection (a) with regard to the measures described in paragraph (3);

''(B) for each State, an analysis of the extent to which the alternative developed under subsection (c)(1) is effective in meeting the elements described in subsection (c)(2);

''(C) a comparison among the States receiving grants under subsection (a) of the effectiveness of the various alternatives developed by such States under subsection (c)(1);

''(D) a comparison, considering the measures described in paragraph (3), of States receiving grants approved under subsection (a) and similar States not receiving such grants; and

''(E) a comparison, with regard to the measures described in paragraph (3), of—

''(i) States receiving grants under subsection (a);

''(ii) States that enacted, prior to the date of enactment of the Patient Protection and Affordable Care Act, any cap on non-economic damages; and

''(iii) States that have enacted, prior to the date of enactment of the Patient Protection and Affordable Care Act, a requirement that the complainant obtain an opinion regarding the merit of the claim, although the substance of such opinion may have no bearing on whether the complainant may proceed with a case.

''(3) MEASURES.—The evaluations under paragraph (2) shall analyze and make comparisons on the basis of—

''(A) the nature and number of disputes over injuries allegedly caused by health care providers or health care organizations;

''(B) the nature and number of claims in which tort litigation was pursued despite the existence of an alternative under subsection (a);

''(C) the disposition of disputes and claims, including the length of time and estimated costs to all parties;

''(D) the medical liability environment;

''(E) health care quality;

''(F) patient safety in terms of detecting, analyzing, and helping to reduce medical errors and adverse events;

''(G) patient and health care provider and organization satisfaction with the alternative under subsection (a) and with the medical liability environment; and

''(H) impact on utilization of medical services, appropriately adjusted for risk.

''(4) FUNDING.—The Secretary shall reserve 5 percent of the amount appropriated in each fiscal year under subsection (k) to carry out this subsection.

''(h) MEDPAC AND MACPAC REPORTS.—

''(1) MEDPAC.—The Medicare Payment Advisory Commission shall conduct an independent review of the alternatives to current tort litigation that are implemented under grants under subsection (a) to determine the impact of such alternatives on the Medicare program under title XVIII of the Social Security Act, and its beneficiaries.

''(2) MACPAC.—The Medicaid and CHIP Payment and Access Commission shall conduct an independent review of the alternatives to current tort litigation that are implemented under grants under subsection (a) to determine the impact of such alternatives on the Medicaid or CHIP programs under titles XIX and XXI of the Social Security Act, and their beneficiaries.

''(3) REPORTS.—Not later than December 31, 2016, the Medicare Payment Advisory Commission and the Medicaid and CHIP Payment and Access Commission shall each submit to Congress a report that includes the findings and recommendations of each respective Commission based on independent reviews conducted under paragraphs (1) and (2), including an analysis of the impact of the alternatives reviewed on the efficiency and effectiveness of the respective programs.

''(i) OPTION TO PROVIDE FOR INITIAL PLANNING GRANTS.—Of the funds appropriated pursuant to subsection (k), the Secretary may use a portion not to exceed $500,000 per State to provide planning grants to such States for the development of demonstration project applications meeting the criteria described in subsection (c). In selecting States to receive such planning grants, the Secretary shall give preference to those States in which State law at the time of the application would not prohibit the adoption of an alternative to current tort litigation.

''(j) DEFINITIONS.—In this section:

''(1) HEALTH CARE SERVICES.—The term 'health care services' means any services provided by a health care provider, or by any individual working under the supervision of a health care provider, that relate to—

''(A) the diagnosis, prevention, or treatment of any human disease or impairment; or

''(B) the assessment of the health of human beings.

''(2) HEALTH CARE ORGANIZATION.—The term 'health care organization' means any individual or entity which is obligated to provide, pay for, or administer health benefits under any health plan.

''(3) HEALTH CARE PROVIDER.—The term 'health care provider' means any individual or entity—

''(A) licensed, registered, or certified under Federal or State laws or regulations to provide health care services; or

''(B) required to be so licensed, registered, or certified but that is exempted by other statute or regulation.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, such sums as may be necessary to carry out this section for each of fiscal years 2011 through 2015.

''(l) CURRENT STATE EFFORTS TO ESTABLISH ALTERNATIVE TO TORT LITIGATION.—Nothing in this section shall be construed to limit any prior, current, or future efforts of any State to establish any alternative to tort litigation.

''(m) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting states' authority over or responsibility for their state justice systems.''.

SA 3264. Mr. WYDEN (for himself, Mr. BROWN, Mr. SPECTER, Mr. KOHL, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 999, between lines 16 and 17, insert the following:

SEC. 3402. LIMITATION ON HOSPICE SPENDING.

Section 1814(i)(1)(C) of the Social Security Act, as amended by sections 3132 and 3401, is further amended—

(1) in each of clauses (ii)(VII) and (iii), by striking ''clause (iv)'' and inserting ''clauses (iv) and (v)'';

(2) in clause (iv)—

(A) in subclause (II)—

(i) by striking ''subject to clause (v),''; and

(ii) by striking ''0.5 percentage point'' and inserting ''0.25 percentage point''; and

(B) by striking the flush sentence following subclause (II); and

(3) by striking clause (v) and inserting the following new clauses:

''(v) After determining the market basket percentage increase under clause (ii)(VII) or (iii), as applicable, with respect to fiscal years 2014 through 2019, if the Secretary determines there is excess hospice spending (as defined in clause (vi)) for the fiscal year, the Secretary shall reduce such percentage by the amount of such excess hospice spending. The application of this clause may not result in the market basket percentage increase under clause (ii)(VII) or (iii), as applicable, being less than 0.0 for a fiscal year.

''(vi) For purposes of clause (v), the term 'excess hospice spending' means—

''(I) for fiscal year 2014, the excess (expressed as a percentage) of—

''(aa) the aggregate amount of payments for hospice care under this title for fiscal year 2011; over

''(bb) the aggregate amount of such payments for fiscal year 2010 increased by the medical care component of the Consumer Price Index for fiscal year 2011, plus 3.0 percentage points; and

''(II) for fiscal year 2015 through 2019, the excess (expressed as a percentage) between—

''(aa) the aggregate amounts of such payments for the fiscal year 3 years prior to the fiscal year involved; over

''(bb) the aggregate amount of such payments for the fiscal year 4 years prior to the fiscal year involved increased by the medical care component of the Consumer Price Index for the fiscal year 3 years prior to the fiscal year involved, plus 3.0 percentage points.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 17, 2009, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 17, 2009, in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 17, 2009, at 10 a.m., to conduct a hearing entitled ''Safeguarding the American Dream: Prospectus for Our Economic Future and Proposals to Secure It.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on December 17, 2009, at 2:15 p.m., in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 17, 2009, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on December 17, 2009, at 1:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 17, 2009, at 2 p.m., to conduct a hearing entitled, ''Afghanistan Contracts: An Overview.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 17, 2009, at 2:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 17, 2009, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate to conduct a hearing on December 17, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LEVIN. Mr. President, first, on behalf of Senator DODD, I ask unanimous consent that a military fellow in his office, CPT Joslyn Hemler, be granted floor privileges during the consideration of the 2010 Department of Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 12:01 A.M. TOMORROW

Mr. REID. Mr. President, I now move to recess until 12:01 a.m.

Mr. MCCONNELL. Parliamentary inquiry.

The PRESIDING OFFICER (Mr. DURBIN). The Republican leader.

Mr. MCCONNELL. Before we proceed to the vote, I would like to make a parliamentary inquiry: I believe it is the case that a simple motion to recess or adjourn is not amendable; is that correct?

The PRESIDING OFFICER. The Republican leader is correct.

Mr. MCCONNELL. Further inquiry. I also believe that a motion to recess or adjourn to a time certain is amendable with time changes.

The PRESIDING OFFICER. The Republican leader is correct.

Mr. MCCONNELL. I will not offer an amendment to change the time to convene later, but so everybody will know, with regard to their own personal schedules, this vote could occur at any time tomorrow. It wouldn't have to be at 1 a.m. The majority leader has the discretion to do that. We are, of course, prepared to talk around the clock and happy to have a vote at 1 o'clock. I just want everybody to understand it is my understanding that the majority leader does have the ability to set the vote later than 1 a.m.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. ENZI) and the Senator from Georgia (Mr. CHAMBLISS).

The PRESIDING OFFICER (Mr. BEGICH). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 38, as follows:

[Rollcall Vote No. 380 Leg.]

YEAS—59

Akaka	Durbin	Leahy
Baucus	Feingold	Levin
Bayh	Feinstein	Lieberman
Begich	Franken	Lincoln
Bennet	Gillibrand	McCaskill
Bingaman	Hagan	Menendez
Boxer	Harkin	Merkley
Brown	Inouye	Mikulski
Burris	Johnson	Murray
Cantwell	Kaufman	Nelson (NE)
Cardin	Kerry	Nelson (FL)
Carper	Kirk	Pryor
Casey	Klobuchar	Reed
Conrad	Kohl	Reid
Dodd	Landrieu	Rockefeller
Dorgan	Lautenberg	Sanders
Schumer	Tester	Webb
Shaheen	Udall (CO)	Whitehouse
Specter	Udall (NM)	Wyden
Stabenow	Warner	

NAYS—38

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Graham	Murkowski
Bond	Grassley	Risch
Brownback	Gregg	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Coburn	Inhofe	Snowe
Cochran	Isakson	Thune
Collins	Johanns	Vitter
Corker	Kyl	Voinovich
Cornyn	LeMieux	Wicker
Crapo	Lugar	

NOT VOTING—3

Byrd	Chambliss	Enzi

The motion was agreed to.

The PRESIDING OFFICER. The Senate stands in recess until 12:01, a.m., Friday, December 18, 2009.

Thereupon, the Senate, at 6:52 p.m., recessed until Friday, December 18, 2009, at 12:01 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

DAVID T. MATSUDA, OF THE DISTRICT OF COLUMBIA, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION, VICE SEAN T. CONNAUGHTON, RESIGNED.

NATIONAL COUNCIL ON DISABILITY

GARY BLUMENTHAL, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2010, VICE ANNE RADER, TERM EXPIRED.

CHESTER ALONZO FINN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2012, VICE KATHLEEN MARTINEZ, TERM EXPIRED.

SARA A. GELSER, OF OREGON, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2011, VICE PATRICIA POUND, TERM EXPIRED.

ARI NE'EMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2012, VICE ROBERT DAVILA, TERM EXPIRED.

DONGWOO JOSEPH PAK, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2012, VICE TONY J. WILLIAMS, TERM EXPIRED.

CAROL JEAN REYNOLDS, OF COLORADO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2010, VICE LISA MATTHEISS, TERM EXPIRED.

FERNANDO TORRES-GILL, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2011, VICE GRAHAM HILL, TERM EXPIRED.

JONATHAN M. YOUNG, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2012, VICE KATHERINE O. MCCARY, TERM EXPIRED.

BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION

GWENDOLYN E. BOYD, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING AUGUST 11, 2014, VICE DONALD J. SUTHERLAND, TERM EXPIRED.

PEGGY GOLDWATER-CLAY, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING JUNE 5, 2012. (REAPPOINTMENT)

SMALL BUSINESS ADMINISTRATION

MARIE COLLINS JOHNS, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, VICE JOVITA CARRANZA, RESIGNED.

EXTENSIONS OF REMARKS

HONORING ROSE KAUFMAN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. PELOSI. Madam Speaker, I rise today to honor the life of an extraordinary wife, mother, grandmother, and artist, Rose Kaufman.

The Pelosi family was blessed to be forever joined to the Kaufman family when our daughter Christine married Rose and Phil's son, Peter. Their wedding brought us all closer together and made us a single family and dear friends.

Rose was a beautiful person inside and out. I enjoyed listening to her warm, witty insights about people and her career in the arts. She was an actor and a screenwriter; a creative force and an active member of the San Francisco community. She was full of passion and spirit, brimming with ideas, committed to artistic excellence and the rich culture of our City and our nation.

Her remarkable story brought her together with Philip, her husband of 51 years. They shared a love of film and art in all forms. They collaborated on screenplays and build a warm, welcoming home for friends and family. Their partnership began as filmmakers, as professional peers; it transformed into a love story—one that stretched from their work on Phil's first film through her courageous battle with cancer in recent years.

The memories of Rose Kaufman will be ones of joy, happiness, optimism and creativity. Our whole family mourns Rose's passing, and will be reminded of her fun-loving spirit in the laughter of Octavio and Isabella. We will long remember her warmth, her vibrant personality, her commitment to those she loved, and her enduring contributions to those who loved her.

WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2009

SPEECH OF

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes:

Mr. NADLER of New York. Madam Chair, I rise in strong support of this amendment to H.R. 4173, which I sponsored along with Congressman MARSHALL, Judiciary Committee Chairman CONYERS, and many other of my distinguished colleagues.

This amendment would help millions of Americans across the Nation and correct a glaring anomaly in our current law. If you are a family farmer, if you are a real estate speculator, or if you own 5 or 20 or 50 homes, for example, you are allowed to use bankruptcy to modify your mortgage. The only exception is the family home. Our amendment would change that and allow bankruptcy judges to modify mortgages for people facing imminent foreclosure.

Millions of Americans have lost their homes due to foreclosure and millions more are at risk of doing so. In fact, there were 937,840 foreclosure filings in the third quarter of 2009. This was up 23 percent from one year ago. It is time we helped these families, just as we have helped large banks and other financial institutions.

Now, in the past we have heard from lenders that this kind of change will increase borrowing costs for everyone else. Of course, this is the same industry that in 2005 told us that making bankruptcy more onerous would reduce people's interest costs by $400 per year on their credit cards. Nothing of the sort happened.

And we tried an alternative—the voluntary modification route. Unfortunately, it has not helped the vast majority of distressed homeowners.

As of November 30, only 4 percent of struggling homeowners in the Treasury Department's Home Affordable Modification Program received permanent loan modifications—31,382 out of 728,000. This week, the Financial Services Committee heard testimony that this program is "destined to fail" because it does not address negative equity.

The Congressional Budget Office estimates that one million households could benefit from this measure, with no additional cost to taxpayers.

So, it is time to take the next step. It is time to give homeowners the same rights as everyone else, and let them modify their mortgages in bankruptcy. It is time to help average citizens stay in their homes, just like we have helped big financial institutions.

I strongly urge all Members to support this amendment.

PERSONAL EXPLANATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. REICHERT. Madam Speaker, as indicated in the Leave of Absence request granted by the House of Representatives, I was not in attendance for votes on Tuesday, December 8, 2009, so that I could support my constituents, the law enforcement community, and the residents of the Pacific northwest at a memorial service to mourn the tragic loss of four Lakewood Police officers.

Were I in attendance, I would have voted in favor of the Motion to Instruct Conferees on H.R. 3288, rollcall Vote No. 931; H. Con. Res. 199, rollcall Vote No. 932; H. Con. Res. 206, rollcall Vote No. 933; H. Res. 940, rollcall Vote No. 934; H. Res. 845, rollcall Vote No. 935; H.R. 2278, rollcall Vote No. 936; H. Res. 915, rollcall Vote No. 937; and H. Res. 907, rollcall Vote No. 938.

HONORING THE 65TH ANNIVERSARY OF THE BATTLE OF THE BULGE

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SESTAK. Madam Speaker, December 16, 2009 marks the 65th Anniversary of the Battle of the Bulge. On this day 65 years ago, German forces launched the Ardennes Offensive against American and Allied Forces in Belgium, Luxemburg, and Germany. The Battle of the Bulge, which lasted 40 days, represents one of the greatest displays of valor, honor, and perseverance in American military history. It also marked the beginning of the end of World War II.

One week into this historic battle, commanding officer General Anthony McAuliffe was approached by Colonel Harper with a note from Germany's command asking for an "honorable surrender" by American forces. When General McAuliffe was read the note, he laughed and exclaimed, "Us surrender? Aw, nuts!" He then realized that a reply was in order, and began to ask his staff what he should say. Lieutenant General Harry Kinnard spoke up, saying "That first remark of yours would be hard to beat." "What do you mean?" asked McAuliffe. "Sir, you said 'Nuts'." replied the Lieutenant General. And that was the answer that McAuliffe gave back to the Germans; Nuts.

Surrender was never an option for our boys. Despite being outnumbered and outgunned at the onset of the battle, the Allied Forces refused to yield. Even when they were forced to retreat to Bastogne in the face of an overwhelming German force, the objective remained the same: stop Hitler's army, whatever it takes.

According to the Department of Defense, American forces suffered almost 90,000 casualties during the battle, including 19,000 killed, 47,500 wounded and 23,000 missing. It is our duty to honor those lost in battle, and to acknowledge the sacrifice they made—the ultimate sacrifice—in defense of our freedom and security. These men were not expecting combat. In fact, the area they were defending had been considered a "quiet sector". As the German Forces advanced, neither they nor their officers were aware of the impending attack. Hitler's army confronted them with half a million troops, 1,800 tanks, and thousands of guns, yet our men prevailed.

In this way, the Battle of the Bulge serves as both a legacy and a precedent. Its legacy is that of the largest land battle in our Army's

history and the turning point of World War II. Its precedent is the model it provides, even today, for our men and women in combat. During my 31 years of service in the Navy, I witnessed acts of extraordinary bravery and resolve among the men and women under my command. As a Vice Admiral, I was honored to serve with the finest sailors that our country has to offer and witness these men and women perform their duties with the same purpose and spirit that led the Allied Forces to victory 65 years ago.

This past August, I was honored with the opportunity to welcome the 83rd Infantry Division of World War II to my District. Many of these men served in the Battle of the Bulge, and it was with tremendous gratitude and respect that I addressed them, shared my own experiences as a Veteran, and fielded questions. As the son of a Navy Captain who served in the War, I have an understanding of the sacrifices these men made to serve their country, including the years they spent away from home and family. I cannot begin to express how grateful I am to these men and the deep appreciation for all they have done to defend the democratic principles of this nation.

It is with humility and a strong sense of obligation that I ask us to recognize the Allied Forces' victory at the Battle of the Bulge in late January, 1945 and the men who made that victory possible.

RECOGNIZING THE CAREER OF PHIL URBAN

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. TIBERI. Madam Speaker, I am extremely pleased to honor the work of Phil Urban, on the occasion of his retirement as President and CEO from Grange Insurance.

Our nation has always been blessed by the many individuals, who through their innovation and drive led a successful business that impacted a community and its people. Motivated by an unceasing spirit, these entrepreneurs built this great country through their work and accomplishments. Today, the tremendous strength of America and individual communities like Central Ohio are still sustained through the passion and vitality of these dedicated people. Therefore, those who contribute to this heritage deserve to be honored for their service.

As president and chief executive officer, Phil Urban directed Grange Insurance to the heights of its industry, becoming a standout-provider in a crowded market. Phil's unparalleled focus on his craft and drive to succeed helped lead Grange to numerous industry awards and unprecedented profits. Yet, profits cannot solely capture Phil's legacy in our community. Since announcing his retirement earlier this year, Phil has been inundated with an outpouring of affection and praise by his peers and the entire Grange family, all of which can surely attest to the impact he made in his position. The respect he showed for his over 1,500 Central Ohio employees is well-known and is a part of why Grange has become a company emulated and respected by many. Additionally, the weight Phil placed on corporate responsibility led Grange to give millions of dollars back to greater Columbus, leaving a legacy for Phil that will stand for years to come.

Through such distinction and service to his company and to Columbus, Phil stands as a pillar of our community. I am very pleased to thank him for all he has done for Central Ohio.

I offer my congratulations to Phil Urban for a career spent in service. I hope the spirit he daily brings forth in his life and work continues to inspire his friends and co-workers for years to come.

CELEBRATING THE 191ST ANNIVERSARY OF THE STATE OF ILLINOIS

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mrs. HALVORSON. Madam Speaker, today I rise to recognize a great day in American history. On December 3, 1818 Illinois joined the United States of America. This month marks the 191st anniversary of this event. I join over 12 million Illinoisans in celebrating our great state's inclusion in the Union.

For nearly two centuries, Illinois has occupied an important position within our country. From Illinois, great, transformative leaders have risen to national prominence. In 1830, our 16th President, Abraham Lincoln, moved to Illinois where he practiced law in Springfield and served in our state legislature and the U.S. House of Representatives before winning the presidency in 1860. It was in Illinois where Lincoln and foe, Senator Stephen Douglas, debated the issue of slavery, the first of which was in Ottawa. Lincoln proclaimed that, ''A house divided against itself cannot stand.'' It was Illinois that answered Lincoln's call by being the first state to ratify the Thirteenth Amendment to the Constitution, abolishing slavery. Today, we are proud to have another Illinoisan following Lincoln's legacy in the White House, our 44th President Barack Obama, with whom I served in Springfield and who served our great state in the U.S. Senate.

Illinois is home to a wide array of historic sites testifying to its important role in our nation's history. From Chicago's Museum of Science and Industry, a physical remnant of the 1893 World's Fair, to the Cahokia Mounds, a pre-Columbian settlement in the southern part of the state, Illinois bears many of our nation's historical riches.

In addition, Illinois serves as one of the leaders in our nation's economy. Illinois is at the forefront of agriculture. It is the number two producer of corn, number one producer of soybeans in the United States, and a major producer of pork. Illinois is one of our nation's leading transportation hubs, which contribute greatly to our local economy. My district is home to the largest intermodal in the country, which provides thousands of local jobs. Many large corporations call Illinois home, such as State Farm Insurance of Bloomington, which is a major employer in Illinois' 11th Congressional District. Many motion pictures have been filmed in Illinois including the classic film Blues Brothers.

Within Illinois, communities from large urban cities to small rural villages come together to form the fabric of the fifth most populous state in the nation. In my own 11th District, I am proud to serve communities ranging from Peotone, in the near Chicago, to smaller communities, such as Streator and Princeton. In my district and across the state, farmers and urban professionals, teachers and firefighters all compose the diverse body of Americans known as Illinoisans. I am proud to join them today in celebrating our great state.

LEE DERROUGH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GRAVES. Madam Speaker, it is with great pride and pleasure that I rise today to recognize the outstanding service and leadership of Lee Derrough, on the occasion of his retirement as CEO of Hunt Midwest Enterprises Inc.

Lee is a 1967 journalism graduate of the University of Kansas. Lee faithfully served forty-two years with the Hunt Organization. He began his career as a public relations assistant for the Kansas City Chiefs. Lee then became the Marketing Director for Worlds of Fun, before becoming General Manager of the park in 1974. It was also Lee's idea to develop Oceans of Fun, which, with Worlds of Fun, became the largest tourist attraction for Kansas City, providing hundreds of jobs and opportunities for young people throughout the metropolitan community. Many of the people who worked for Lee have gone on to be major contributors to our community in their roles as lawyers, judges, doctors, teachers and business associates.

Under Lee's leadership, he grew and developed more than 6,000 acres of surface commercial and residential real estate for Hunt Midwest Real Estate Development, Inc. He also served on the Boards of Directors for the Greater Kansas City Chamber Commerce, the Kansas City Chiefs Football Club, the Civic Council of Kansas City, the Clay County EDC, the Missouri Transportation Alliance. Lee also served as the Chairman of the Board for the Economic Development Corporation of Kansas City and the Convention and Visitors Bureau of Greater Kansas City.

Madam Speaker, I ask my colleagues to join with me in commending Lee Derrough for his dedicated service to the people of Kansas City, Missouri and the Hunt Midwest Organization. I know Lee's colleagues, family and friends join with me in thanking him for his commitment to others and wishing him happiness and good health in his retirement.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GERLACH. Madam Speaker, unfortunately, on Monday, December 14, 2009, I missed two recorded votes on the House floor. Had I been present, I would have voted YEA on rollcall 969 and YEA on rollcall 970.

WES BANNISTER RECOGNITION

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. ROHRABACHER. Madam Speaker, I would like to bring to the attention of my colleagues the following press release, which tells the story of Wes Bannister, who succumbed to cancer earlier this month. As the first Vice President of the Orange County Water District, he advised me on water issues for many years, and gave me his personal direction. He was a leader in the community and the state, and he will be missed. I know firsthand that his contributions will be enjoyed by Orange Countians for generations to come.

WATER INDUSTRY LOSES A GREAT LEADER

THE ORANGE COUNTY WATER DISTRICT BOARD AND STAFF MOURNS THE UNTIMELY LOSS OF FIRST VICE PRESIDENT, DIRECTOR WES BANNISTER

FOUNTAIN VALLEY, CA (Dec. 11, 2009).—In the late hours of December 10, 2009, the water world and Orange County lost an important trailblazer and public servant, Wesley ''Wes'' Mastin Bannister lost his battle with cancer. Wes Bannister was elected to the Orange County Water District (OCWD) Board of Directors in 1991 representing Division 6, which includes Fountain Valley, Huntington Beach and parts of Westminster. He was re-elected to four consecutive four-year terms in 1996, 2001, 2004 and 2008. He was elected in 2007 and 2008 by his fellow board members to serve as the District's 1st Vice President.

''The Board and staff of the Orange County Water District have lost an incredible leader who lived and breathed water,'' stated OCWD Board President Stephen R. Sheldon. ''Those who had the privilege of working with Wes know that he had the tenacity to get to the core of critical issues and drive and inspire others to do what was right and economically sound. He stood true to his principles and convictions, like no other person. We are truly sorry for his family's great loss.''

During his tenure as a Board Member, the District celebrated many important achievements including the building and operation of the Groundwater Replenishment (GWR) System, the largest water purification project of its kind in the world, and a state-of-the-art Advanced Water Quality Assurance Laboratory.

In addition to serving on the OCWD Board, in 1993 Director Bannister was appointed Director to the Metropolitan Water District of Southern California (MWD) representing the Municipal Water District of Orange County. In 2004, Director Bannister was elected as Chair of the MWD Board of Directors, for which he served until October 31, 2006.

''Wes was a principled leader and committed advocate for Orange County and its water interests who also worked faithfully to address the water challenges facing the entire southern California region,'' said Wayne Clark, President of the Municipal Water District of Orange County (MWDOC). ''We were honored to have had Wes represent MWDOC as one of our appointed representatives to the Metropolitan Water District of Southern California and we are going to miss our good friend.''

Director Bannister devoted over 23 years to serving the communities of Orange County. He served on the Huntington Beach City Council from 1986 to 1990, including as Mayor in 1989. ''I had the distinct honor of serving with Wes on the City Council'', stated Assemblyman Jim Silva (R-Huntington Beach). ''If it weren't for his encouragement and support, I would not be serving in the Assembly today. Wes was invaluable to me and many of my colleagues when it came to solving state water issues. He was a mentor and a true friend who genuinely cared about the people in his community and gave of his time and energy to making a difference.''

Director Bannister was also the Republican nominee for California Insurance Commissioner in 1990 and was nominated to the Electoral College by President Bush in that same year. He also served on the West Orange County Board from 1986 to 1990 and on the Orange County Sanitation District Board of Directors, District 11, from 1988 to 1990.

In 1986, Director Bannister was appointed by the Governor to the California FAIR Plan Board of Governors and continued to serve on this Board until his untimely death. Since 1993, Director Bannister had represented OCWD on the Board of Directors of the Association of California Water Agencies Joint Powers Insurance Authority (ACWA-JPIA). While serving, the Board elected him to the Governing Committee and to serve two years as its Vice President. Following his two-year term, the Board elected him President in 2005 for a three-year term.

Active in local affairs, Director Bannister served on the boards of the Boys and Girls Club and YMCA, as Charter President of the Huntington Beach Sunrise Rotary Club and as an advisor to the Huntington Beach Search and Rescue Post 536.

Director Bannister was born in Houston, Texas in 1936. He and his wife Elizabeth (Betty) Ann Rogers Bannister were married at Fort Sill in Oklahoma in 1959 where he was stationed and recently celebrated their 50th wedding anniversary. Director Bannister and his wife Betty have lived in Huntington Beach since 1969. Together, the Bannisters welcomed three children Catherine (Cathy) Ann, Alice (Lisa) Elizabeth and Douglas (Doug) Mastin.

In addition to devoting much of his time to serving the communities of Orange County, Director Bannister founded Bannister and Associates Insurance Agency in 1974, from which he retired in 2003. The family business continues to flourish under the leadership of his two surviving children Alice (Lisa) Elizabeth Bannister and Douglas (Doug) Mastin Bannister. Director Bannister is also survived by two grandchildren Kaitlyn Michelle and Brent Douglas.

RECOGNIZING AND COMMENDING THE 200TH ANNIVERSARY OF BIBLICA

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. LAMBORN. Madam Speaker, I rise today to recognize and commend Biblica for the contributions they have made to our country and join with them in the celebration of their 200th anniversary.

On December 4, 1809, a small group of concerned citizens met in lower Manhattan to discuss how to make the Bible available to the residents of the city and formed the New York Bible Society, beginning an organization that has been woven into the fabric of United States culture for 200 years.

The New York Bible Society provided Scripture for members of the United States Armed Forces in each conflict, foreign and domestic, since the War of 1812, and in partnership with the United States military chaplaincy, distributed more than 1,000,000 Bibles to members of the Armed Forces looking for courage, guidance, and comfort.

When the gates of Ellis Island opened in 1890, the New York Bible Society greeted new immigrants with a copy of Scripture in their native language, and over the 60 years that followed, provided an average of 160,000 copies of Scripture each year to immigrants.

In 1962, John Glenn lifted off into space with a Bible he received from the New York Bible Society. In 1968, the New York Bible Society sponsored the Committee on Bible Translation, a group responsible for creating the New International Version, which is now the most widely distributed, contemporary English version in the world, with more than 300,000,000 copies in circulation.

The New York Bible Society moved to Colorado Springs, Colorado in 1988 and became the International Bible Society.

Following the 9/11 terrorist attacks, the International Bible Society distributed more than 800,000 copies of Scripture to those seeking hope and comfort during one of the darkest moments in United States history. The International Bible Society also provided Scripture to disaster survivors worldwide, including victims of Hurricane Katrina and the 2004 Indian Ocean tsunami.

The International Bible Society merged with Living Bibles International and Send the Light and today operates as Biblica.

Biblica is one of the largest distributors of Bibles and biblical resources in the world, operates in 54 countries, and has translated the Bible into more than 100 languages. Biblica is the leading provider of Bible translations on the Internet, providing the Bible in 29 languages to more than 100,000,000 Internet users annually.

It is an honor to recognize Biblica as an integral part of our nation's history and I commend them for the contributions they have made to the United States and around the world.

HONORING THE LIFE OF MARY MADELEINE SEGAL HALL

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HALL of Texas. Madam Speaker, I rise today to honor the life of Mary Madeleine Segal Hall, a remarkable woman and personal friend who passed away on October 6, 2009 at the age of 85.

Mary was born on July 18, 1924 in Jefferson, Texas to Margaret Manning and Maurice Segal. She graduated from Jefferson High School in 1940 and went on to attend the College of Marshall, now East Texas Baptist University, where she met her future husband of 48 years, the late Sam B. Hall, Jr., a former member of the U.S. House of Representatives and my good friend.

Throughout her 85 years, Mary was a dedicated member of the community. Her civic commitment was evidenced by the many community organizations in which she was involved. She was a charter member of Marshall Symphony League, served on the Boards of Marshall Symphony Society and the Starr

Home, active in Belle Maison, Club 25 and on the advisory board of Historical Commission Advisory Council. During her husband's Congressional years, she was active in the Congressional Wives Club, Texas Breakfast Club, and Texas State Society. She loved her life in Washington where she would give tours of the White House on a regular basis. In 1977, she and her husband were named the first recipients of the J. Wesley Smith Award given annually by East Texas Baptist University for outstanding achievements.

Mary was a devoted Christian and served as a member of Eastern Hills Church of Christ in Marshall. She is survived by three daughters and sons-in-law, Becky and W.F. Palmer, Amanda and Tom Wynn, and Sandra and Don Bodenhamer; five grandchildren, and five great-grandchildren. She was a very loving, wonderful mother, grandmother, and great-grandmother; she was someone you wanted to emulate. Mary was a wonderful wife to her husband and wherever he was, she loved being there.

Madam Speaker, it gives me great pleasure to honor the life, accomplishments, and memory of Mrs. Mary Madeleine Segal Hall. Her contributions will be greatly missed but her kindness and service will not be forgotten.

CONFERENCE REPORT ON H.R. 3288, CONSOLIDATED APPROPRIATIONS ACT. 2010

SPEECH OF

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2009

Mr. PERLMUTTER. Mr. Speaker, I rise today to let the CONGRESSIONAL RECORD reflect a clerical error in the Consolidated Appropriations Act for Fiscal Year 2010.

In July of this year, shortly after the Committee on Appropriations made available the appropriations requests included in its Transportation and Housing and Urban Development Appropriations Act, it came to my attention my name was incorrectly placed as a joint sponsor of a project request which provides $10,312 for the Southeast Corridor Light Rail in Denver, Colorado. While I am supportive of this project and the broader FasTracks mass transit plan of Colorado's Regional Transportation District, RTD, I did not request funding for this project. Upon discovery, my staff informed the Committee on Appropriations of this error and asked that it be corrected.

On December 10, the House passed the Consolidated Appropriations Act for Fiscal Year 2011. In that conference report, my name was again mistakenly attached to this project by committee staff during the filing process. Because both chambers have passed this conference report, there is no method short of a Presidential veto for me to correct this error. Therefore, I would like to let the CONGRESSIONAL RECORD reflect this mistake and my lack of involvement in this project.

To be clear, no official from RTD or any other organization asked me or my staff to request funding for this project. Nor did I submit any material to the Appropriations Committee requesting funding for this project. As such, I did not post information on the process on my official website. However, for the sake of transparency and public accountability, I have certified in writing that I have no financial interest in this project.

INTRODUCTION OF THE UNITED STATES WAR BONDS ACT OF 2009

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MEEK of Florida. Madam Speaker, I rise today to introduce before the House of Representatives, the War Bonds Act of 2009. War bonds are a cost-effective way to reduce our dependence on foreign creditors and create an outlet for Americans to express their patriotism and support for our servicemembers as well as the security mission for which they are deployed.

To be sure, thousands of Americans have made tremendous sacrifices over the course of this war. Members of the military, their families, and their friends have gone above and beyond the call of duty, and we must never take their service for granted. Many of us have begun shopping for our friends and families this holiday season, while a relatively small group of families are preparing to send their loved ones off to battle.

We have an opportunity to bridge that disconnection. We have an opportunity to open our wallets and provide gifts, big or small, to our troops. These funds will go toward more than war machinery, but to clothing, feeding, securing, and providing medical services for our service men and women abroad. It will allow them the means to make quick work of their mission and to return home safely to their families. The War Bonds Act of 2009 will allow Americans to show their support for the troops even if they are wary about the war itself.

We also need to responsibly finance the increase in troop levels rather than continuing deficit spending for the mission. Each soldier, sailor, airman, and marine that we send abroad costs $1 million per deployment. A 34,000 person troop increase could raise our Afghanistan tab by some $40 billion per year, affecting our ability to invest domestically and to rebuild our military from the wear of the Iraq war. In past wars, Congress has raised taxes to fund most of our fighting, but since 9/11 the war bills have been piling up. Our engagements in the Middle East have been financed primarily by debt, money borrowed from foreign countries. In fact, nearly $3.5 trillion—46 percent of U.S. debt—is held by foreign investors.

War bonds allow us to borrow from ourselves, rather than other countries. United States savings bonds are considered some of the safest investments in the world. They are available in predetermined denominations and mature over a period of time while accruing interest. After a number of years, the owner of the bond can collect the face value cost of the bond plus interest. All U.S. savings bonds are backed by the full faith and credit of the United States Government.

The legislation I am introducing today will allow American citizens to do our part without being required to do so through taxation. The legislation will authorize the Treasury to issue and market war bonds to the American people to help finance the wars in Afghanistan and Iraq.

I believe that we need shared sacrifice and fiscal discipline in financing the war effort. Where we have sacrificed our future with billions of dollars of deficit spending on the war, we can begin bringing down that deficit with much smaller individual sacrifices now.

The U.S. War Bonds Act of 2009 finds a precedent in World War II savings bonds. From May 1, 1941, through December 1945, the War Finance Division and its predecessors were responsible for the sale of nearly $186 billion worth of government securities. Of this, more than $54 billion was in the form of war savings bonds.

I believe that the same patriotism is alive and well today, and that as a Nation and a people we have not lost the will to make collective sacrifices for the greater good. The men and women in the U.S. military are fighting year-round in faraway places, with their sacrifices and those of their families beyond comprehension. I believe that in that same spirit, Americans will be able to use war bonds to offer a token of respect, admiration, and support for those in uniform who show the same for us every day of their lives.

A BILL TO DIRECT THE PRESIDENT TO TRANSMIT TO CONGRESS A REPORT ON ANTI-AMERICAN INCITEMENT TO VIOLENCE IN THE MIDDLE EAST

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. KUCINICH. Madam Speaker, H.R. 2278 condemns the use by groups designated as Foreign Terrorist Organizations in the Middle East of television programs to incite anti-American violence.

I do not condone the use of television programming to promote anti-American sentiment in the Middle East; I strongly object to it. Similarly, I strongly condemn ongoing policies that seek to punish civilian populations in an effort to undermine political leadership in their respective countries. However, if we want to stop anti-American incitement in the Middle East, we must end our military occupation of Iraq and Afghanistan, we must put an end to the drone attacks in Pakistan and we must end the blockade of Gaza.

Our continued occupation fuels the insurgency in Iraq and the Taliban in Afghanistan. Just this week, over 100 people have been killed and almost 200 wounded in a series of bombings in Baghdad, resulting in one of the deadliest attacks in Iraq this year. President Obama accepted his Nobel Peace Prize as over 16,000 American troops were readying for deployment as part of our military escalation in Afghanistan.

More unmanned drone attacks in Pakistan have been authorized by President Obama during his first three months in office than President Bush ordered during his entire presidency. Predator drones have killed hundreds of innocent civilians and have spurred significant anti-American sentiment. The recent revelations that the C.I.A. is running the predator drone program show that we are deploying an extraordinary use of lethal force in a country we are not at war with.

On the eve of the one-year anniversary of Operation Cast Lead, the people of Gaza continue to suffer immeasurably under the U.S. imposed blockade, living in tents next to the remains of their homes. Not one house has been rebuilt and not one pane of glass has been allowed in. Ninety-five percent of the drinking water is unfit for human consumption as the man-made humanitarian crisis continues. The United States and our closest ally, Israel, have a responsibility to uphold international humanitarian and international human rights law, both of which are violated by this blockade.

A resolution condemning television programming by designated Foreign Terrorist Organizations does not make our condemnation of terrorist acts more clear. Furthermore, this resolution does nothing to bring the United States and our friends in the Middle East closer to peace and stability. Anti-American sentiment in the Middle East can only be solved through diplomatic means and through the consistent application of peaceful solutions that ensure the security and basic human rights of all people.

HONORING THE LIFE OF JAMES ROBERT PAXTON

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HALL of Texas. Madam Speaker, I rise today to honor the life of James Robert Paxton, a veteran, civic servant, and personal friend who passed away August 2, 2009 at the age of 86.

''Jim Bob,'' as he was known to his friends and family, was born September 15, 1923. The youngest child of Eugene Stratton Paxton and Ella Clark Paxton, ''Jim Bob'' grew up in Elkhart, Texas before attending Baylor University. Deciding to put his education on hold, ''Jim Bob'' enlisted in the United States Navy as an officer where he taught airplane recognition in World War II. His service in the U.S. Navy took him many places, including his arrival on the Japanese island of Nagasaki to help liberate American and Allied prisoners the day after the atom bomb was dropped.

After World War II, ''Jim Bob'' returned to Baylor University to complete his undergraduate degree before attending law school at Southern Methodist University in Dallas, Texas. Mr. Paxton then served two terms in the Texas Legislature, where he met and fell in love with his wife, Doris, whom he married in 1954. The couple moved to Palestine where they lived and raised their family, and where Mr. Paxton practiced law for more than fifty years. Among his many outstanding achievements, ''Jim Bob'' was appointed by Governor Dolph Brisco to serve on the Texas Parks and Wildlife Commission.

As evident through his military and civic service, Mr. Paxton was not only a leader in his home as a loving husband and father, but a leader in his community and country. He was known as a man of faith, who lived his life in devotion to God, and he will be missed by those who knew him.

He is survived by his wife of 55 years, Doris Lee Hall Paxton, their five daughters, and numerous grandchildren, nieces, nephews, and friends. Madam Speaker, I ask those here today to join me in remembrance of this great American, James Robert Paxton.

HONORING U.S. MARINE CORPS VETERAN JOHN D. DAY

HON. ERIC J.J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MASSA. Madam Speaker, I rise today to laud the lifelong achievements, patriotism and honorable milita service to our country by U.S. Marine Corps veteran John D. Day of Hornell, New York. It is a distinct honor to submit his name before the United States House of Representatives for his numerous contributions to the 29th Congressional District and a grateful Nation.

A graduate of Hornell High School, John went on to study Criminal Justice at Finger Lakes Community College and Corning Community College where he balanced his academic studies with his participation on the collegiate baseball teams. After completing his studies, John heeded the call of duty and enlisted with the U.S. Marine Corps where he served until his honorable discharge in 2000, after 4 years of service.

John then embarked on a career path of public service as a member of various, local police departments where he achieved the rank of Sergeant while simultaneously working towards the completion of his associates degree.

As a training officer, John was credited with designing and implementing numerous programs to better train officers and to improve job performance. Tragically, while en route to work at the Bath VA Police Department on October 27, 2008, John was killed when his vehicle was hit by a drunk driver.

Since the accident, John was posthumously promoted to Lieutenant and was honored in April as the United States Department of Veteran Affairs Police Officer of the Year at the Annual Law Enforcement Banquet. John was also cited by the VA National Central Office for his perfect record maintaining and completing all training records. In addition, the last two classes at the Federal Police Officer Academy at Little Rock, Arkansas, dedicated their graduation and hard work to the way John performed his duties at work and the professionalism he demonstrated.

On behalf of the United States House of Representatives, it is my honor to recognize Officer John D. Day's contributions to his country and community.

GRATITUDE FOR THE SERVICE OF KAREN WILKINSON

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CONYERS. Madam Speaker, the Judiciary Committee's Crime, Terrorism, and Homeland Security Subcommittee Chairman ROBERT C. ''BOBBY'' SCOTT and I would like to take this opportunity to thank Karen Wilkinson for her work with the Committee for the past 2 years.

Karen came to us as a detailee from the Administrative Office of the United States Courts. At the end of December, Karen will return to Phoenix, Arizona to continue her work as an Assistant Federal Public Defender representing indigent clients in federal criminal cases, where she worked for eight years before coming to the Committee. Prior to that, she clerked for the U.S. District Court for Arizona and then joined the law firm of Brown & Bain. Karen graduated magna cum laude from Arizona State University Law School, received a Masters in Business Administration from NOVA University and her Bachelor of Science degree from the University of Michigan.

Karen's accomplishments during her tenure with the Committee include a number of bills that are very important to improving our country's criminal justice system. During the 111th Congress, she was responsible for guiding several legislative measures to approval on the floor of the House of Representatives, including: H.R. 448, the Elder Abuse Victims Act of 2009; H.R. 632, the National Silver Alert Act 2009; H.R. 748, CAMPUS Safety Act of 2009; H.R. 908, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2009; H.R. 1333, which amends chapter 40 of title 18 of the United States Code to exempt the transportation, shipment, receipt, or importation of explosive materials for delivery to a federally recognized Indian tribes; H.R. 1727, the Managing Arson Through Criminal History, MATCH, Act; H.R. 1933, a Child is Missing Alert and Recovery Center Act; S. 1289, the Foreign Evidence Request Efficiency Act of 2009, and H.R. 2661, the Court Security Enhancement Act of 2009.

In addition, she is shepherding several very important bills pending before the Judiciary Committee, such as: H.R. 503, the Prevention of Equine Cruelty Act of 2009; H.R. 3327, the Ramos-Compean Justice Act of 2009; H.R. 2289, the Juvenile Justice Accountability and Improvement Act of 2009; H.R. 2095, the Restitution for the Exonerated Act; H.R. 1149, the Child Protection Reauthorization Act of 2009 and H.R. 1422, the Adam Walsh Child Protection and Safety Reauthorization Act of 2009. Karen is also developing the Literacy Education and Rehabilitation Act, LERA, and the Department of Justice Reauthorization Act, legislation that would require a criminal defense representative to be appointed to the United States Sentencing Commission, as well as bills that would correct the firearm recidivist sentencing guidelines and the computation of good time credit in federal prison system.

We would like to thank the Administrative Office of Courts and the Federal Public Defender's Office of Phoenix for their generosity in allowing such a dedicated, responsible, and committed person to become such an integral part of our team. We are deeply grateful to Karen for her service, professionalism, and friendship during the past 2 years. She possesses that rare balance of humility, warmth, wit, and passion without a trace of ego, and she will be sorely missed. We wish her the best of luck and give her our thanks.

PAYING TRIBUTE TO THE LIFE OF JACK GAINES THAXTON

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HALL of Texas. Madam Speaker, I rise today to pay tribute to the life of Jack Gaines Thaxton who passed away August 7, 2009 at the age of 90. A lifelong Texan, Mr. Thaxton was born April 23, 1919 in Kaufman, Texas to Estelle Gaines Thaxton and John W. Thaxton. He spent his childhood and adolescent years in Rockwall, Texas, graduating from high school in 1937. Even in his early years, he demonstrated character qualities which would be associated with his name throughout his life. He dedicated himself to many activities in school including football, which he excelled in, baseball, and tennis, also taking pride in his perfect attendance record.

Upon graduating, Mr. Thaxton worked for three years as assistant manager for the Boyer Drug Company in Rockwall before volunteering for service in the Texas National Guard, later serving with the 112th Calvary. During World War II, he campaigned in the Pacific Theater and in the liberation of the Southern Philippines and Luzon. After contracting malaria and hepatitis, Mr. Thaxton spent several months recovering in an Army hospital before being released in 1945. Mr. Thaxton received several decorations, including five bronze stars for meritorious service–valor.

After he returned to Texas, Mr. Thaxton enrolled at the University of Texas in Austin, Texas, where he earned a Bachelor Degree in Business Administration in 1949. Shortly after graduating, he married Marguerite Ruth Davis and the couple moved to Corpus Christi where he worked for H.E.B Grocery Company for thirty years. Marguerite passed away after twenty-two years of marriage, and Mr. Thaxton later remarried to Marjorie N. Thaxton.

Mr. Thaxton decided to combine his passion for sports and education when he established a golf scholarship at his alma mater, Rockwall High School, the proceeds of which help students further their academic goals.

He was a faithful member of the First United Methodist Church, a Mason, and later a member of the Al Amin Shrine Temple. He is survived by his son, James Eric Thaxton and his wife Carol Arnold Thaxton, along with three grandchildren.

Madam Speaker, I ask those present today to join me in honoring the life of this American veteran and dedicated American citizen, Mr. Jack Gaines Thaxton.

IN MEMORY OF WILLIAM POPE ''BILLY'' LANGDALE, SR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor the memory of William Pope "Billy" Langdale, Sr., a man I was proud to call my friend and constituent. An accomplished public servant who was devoted to his community, state, country, his family, and friends, Billy passed away on December 12, 2009, at the age of 88.

Billy lived his entire life in Valdosta in Lowndes County, Georgia. He graduated from Valdosta High School in 1938 where he was a proud member of the Valdosta Wildcat football team. He went on to attend the University of Georgia, where he played football for the Bulldogs before enlisting in the United States Marine Corps in 1942. He served in the Marines for 10 years and was awarded a Bronze Star before retiring at the rank of Lieutenant Colonel.

His public career began in 1960, when he was elected as chairman to the Lowndes County Board of Commissioners, where he served for 16 years. He then served as Chairman of the Georgia Department of Transportation board for 2 years before becoming the Second Congressional District representative on the DOT board, a post he held for more than 25 years. He was instrumental in numerous local transportation projects, from highway improvements to the six-laning of Interstate 75.

Billy fittingly received many accolades for his public service, including being named as one of Georgia Trend magazine's "100 Most Influential Georgians" as well as South Georgia Business magazine's list of the "Most Influential South Georgians." A highway in my district is named the "Billy Langdale Highway" in his honor. Upon his retirement in 2008, both the Georgia State Senate and the Georgia House of Representatives passed resolutions thanking Billy for his many years of service to the state.

Madam Speaker, the State of Georgia, especially the Second Congressional District, and our Nation have been truly blessed to have benefited from the tremendous leadership of Billy Langdale. He will be remembered for the compassion he spread continuously throughout his life, his great humor, his never ending modesty, his intense desire to help others, and his unwavering love for his family.

A TRIBUTE TO BOB HEFT

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CAMP. Madam Speaker, I rise today to pay tribute to and remember the life of an outstanding individual, Mr. Robert G. Heft of Saginaw, MI, who I am sad to report passed away this week.

Mr. Heft, who liked to be called simply "Bob," was a man whose innovation and patriotism created a legacy that reaches even into outer space.

Bob was the man behind a true representation of patriotism, the symbol of our Nation that flies proudly today above this very building, across the country, around the world, and yes, is even on the moon.

Using his mother's sewing machine and a hot iron, Bob created the first fifty-star flag as an assignment for school. His teacher originally gave him a B minus, so they made a deal: if Bob's design was accepted by Congress, he would change the grade to an A.

So Bob sent his prototype to his Governor and Congressman.

Then, one morning in 1958, Bob received a very special phone call. On the other end of the line was President Dwight D. Eisenhower, personally calling the high schooler to tell him that Bob's version of the American Flag was picked by the President to replace the 48-star flag as the official design for our recently-expanded Nation. Bob's flag was chosen from more than 190,000 entries submitted.

Bob was there with the President on July 4, 1960, when the flag was flown for the first time. What began as a history project later became the longest-serving flag in American History, an American icon, and the true face of freedom. Bob's work is an inspiration to our students that each morning recite the pledge of allegiance to the flag of the United States of America.

And yes, it was his flag that just a few years later was launched and planted on the Moon, a perpetual reminder that our citizens' innovative talents know no bounds.

Bob's service to our Nation did not end there though. He was a longtime Professor at Northwest State Community College in Archbold, Ohio. After his retirement, Bob served as mayor of Napoleon, Ohio for 14 years, becoming the longest serving mayor in the town's history. During this time, Bob also became a popular motivational speaker, going to schools and veterans' groups all over the country to tell his unique stories. The many that met him said that Bob emanated a true warmth and love for his country.

I wish to extend my sincere thanks to Bob Heft, a true patriot throughout his life. I also wish to extend my deepest condolences to his family and friends. Though most citizens may have never met him, all have been touched by the symbol of American freedom that he created, and has become part of the integral fabric of this country.

CONFERENCE REPORT ON H.R. 3288, CONSOLIDATED APPROPRIATIONS ACT, 2010

SPEECH OF

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2009

Mr. ORTIZ. Mr. Speaker, I rise in support of H.R. 3288, the Consolidated Appropriations Act, 2010. This bill provides the necessary funding to sustain our agencies covered by six regular appropriations bills and incorporates many key projects that directly benefit our communities nationwide.

I am very supportive of providing resources to ensure that quality programs and projects continue to receive assistance to improve infrastructure, expand education programs, retain jobs, and provide adequate equipment and service to our military personnel and veterans. I would like to thank my colleagues for their leadership on this bill and their support of projects in South Texas.

I am happy to note that within this agreement I was able to secure funding for several projects benefiting my district. Through these appropriations, new jobs and innovative developments will continue to advance our community as well as contribute to the future of our country. Some of these projects include: $500,000 for facilities and equipment at the University of Texas at Brownsville and Texas Southmost College, $250,000 for the Texas

A&M Corpus Christi Adjudicated Youth Program, $150,000 for Global Marketing and Logistics Certification Program at the University of Texas at Brownsville, $300,000 for street improvements at the Robstown Inland Port, $500,000 for the Corpus Christi and Robstown Regional Intermodal Transit Facility, $700,000 for Shrimp Industry Fishing Effort Research Continuation in the Gulf of Mexico and throughout the country, $19,764,000 for Corpus Christi Naval Air Station Operational Facilities to support T–6 planes, $4,470,000 for the Solar Panel Array at Kingsville Naval Air Station, $10,200,000 for the Robstown Tactical Equipment Maintenance Facility, and $200,000 for the Brownsville and Corpus Christi Independent School Districts' joint South Texas Library Literacy Project.

I want to make clear that my vote for this bill reflects solely my support for the aforementioned priorities. I have consistently voted against using federal funds to support abortion services and am pleased that this bill upholds those limitations so that my constituents' tax dollars are not used in a way inconsistent with their moral beliefs.

My vote in favor of H.R. 3288 reflects my commitment to fund this nation's economic priorities and help our South Texas communities, educational facilities, and small businesses in the midst of a deep recession.

EARMARK DECLARATION

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. WAMP. Madam Speaker, as a leader on earmark reform, I am committed to protecting taxpayers' money and providing greater transparency and a fully accountable process. H.R. 3326, Department of Defense and Related Agencies Appropriations Act, 2010 contains the following funding:

Requesting Member: Rep. ZACH WAMP

Account: Research, Development, Test And Evaluation, Army—Medical Technology

Legal Name Requesting Entity: Department of Orthopedic Surgery, University of Tennessee College of Medicine Chattanooga

Address: 975 East Third Street Chattanooga, TN 37403

Description of Request: The University of Tennessee College of Medicine Chattanooga requested funding for its work with artificial bone implants and grafts for American soldiers, airmen, sailors and marines who have lost limbs in combat. This research will greatly enhance the lives of injured service members giving them more independence and allow them to live more productive and fulfilling lives. The University of Tennessee College of Medicine Chattanooga receives $1,000,000 for this project.

Distribution of funding:

Yearly Staffing—37%

Consultative Services—9%

Scientific Material—54%

Requesting Member: Rep. ZACH WAMP

Account: Other Procurement, Army—Training Devices, Nonsystem

Legal Name Requesting Entity: Tennessee Army National Guard

Address: Houston Barracks, 3041 Sidco Drive Nashville, TN 37204

Description of Request: The Tennessee Army National Guard requested funding to purchase and maintain Combined Arms Virtual Trainers to better prepare service members for deployments to Iraq and Afghanistan. This equipment replicates virtual battlefields and allows Army National Guard soldiers to train as they will fight. Allowing Combined Arms Training within a virtual environment will save lives on the real battlefield. The Tennessee Army National Guard receives $5,000,000 for this equipment.

Distribution of funding: Equipment, Software, & Maintenance—100%

HONORING THE LIFE OF EDWARD ALLEN POPE

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HALL of Texas. Madam Speaker, I rise today to honor the life and accomplishments of Edward Allen Pope of Amarillo and life-long resident of Dallas, who died at the age of 85 on October 29, 2009.

Ed was born October 31, 1923 to Gertrude Milam and Edward G. Pope. After graduating from Crozier Tech High School in 1942, he joined the U.S. Navy and earned the rank of Lieutenant Commander. He served during World War II and the Korean Conflict as a naval aviator. He received The China Service Medal, the National Defense Service Medal and the Naval Reserve Medal. After Naval retirement, he became an electrician for Ling, Oliver and O'Dwyer, working there until his retirement in 1989.

In December 1947, he married Virginia Shelly, and they would have celebrated 62 years together this year as man and wife. He was a great ''in-law'', loving Virginia's family as his own. Ed was a family man—a great father of strong faith and conviction. He was a faithful member of Christ Church in Dallas, serving on their Vestry as Junior Warden for 35 years. He loved unconditionally and he loved a good time. His rule in life was ''the more the merrier'' and he was the leader and planner for hunting, skiing and boating excursions and many family outings. He was an inquisitive, generous, tender-hearted, gentle man loved by all who knew him.

Ed is survived by his wife, Virginia; a brother, Norman Pope of Austin; a daughter, Janace Pope Ponder of Amarillo and her husband, David; his daughter in-law Debby Pope; his grandchildren, Paige Garmon, Abby Mitchell, Carmen Juckett and Courtney Pope; and great grandchildren, Michael Clouse, Peyton Garmon, Madison Garmon, Shelby Garmon, Kaylee Mitchell and Jacob Juckett; as well as nieces, nephews and many close friends and other family members. He was preceded in death by his parents and his son, Joseph Pope. Madam Speaker, I ask those present today to join me in honoring the life of this great American, Edward Allen Pope.

INTRODUCTION OF THE RESOLUTION OF INQUIRY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. WOLF. Madam Speaker, I rise today to introduce a Resolution of Inquiry directing the Attorney General to transmit to the House all information relating to the decision to dismiss an important voter intimidation case, United States v. New Black Panther Party. The case sought to enforce Voting Rights Act statutes against members of the New Black Panther Party that threatened Philadelphia voters—both verbally and physically—last year.

This case was inexplicably dismissed earlier this year—over the ardent objections of the career attorneys overseeing the case as well as the department's own appeal office.

I regret that Congress must resort to oversight resolutions as a means to receive information about the dismissal of this case, but the Congress and the American people have a right to know why this case was not prosecuted.

As ranking Republican member of the House Commerce-Justice-Science Appropriations Subcommittee that funds the Justice Department, I take oversight of the department very seriously.

I also strongly support voting rights protections. In 1981, I was the only member—Republican or Democrat—of the Virginia delegation in the House to vote for the Voting Rights Act and was harshly criticized by the editorial page of the Richmond Times-Dispatch, and when I supported its reauthorization in 2006, I was criticized again by editorial pages.

Time and again over the last year, the department has stonewalled any effort to learn about the decision to dismiss this case.

I have written Attorney General Holder on six occasions asking for an explanation for the dismissal of this case. To date, I have received no response from him.

I wrote the DOJ Inspector General to request a review of this decision. He deferred to the Office of Professional Responsibility—which reports directly to the Attorney General.

I have written the Office of Professional Responsibility seeking information on its investigation. The Office has refused to share any information.

In fact, the only response I have received—from a legislative affairs staffer—was woefully incomplete and—in places—inaccurate.

Two months ago, I met with House Judiciary Chairman CONYERS to ask for his assistance in obtaining this information, but he has yet to take any action. This is a shameful failure to provide necessary congressional oversight.

It is not only Congress that is being stonewalled by the Attorney General. The U.S. Commission on Civil Rights has repeatedly sought this same information, in fulfillment of its statutory responsibility to ensure the enforcement of civil rights law.

After being similarly rebuffed, the commission filed subpoenas with the department for this information as well as to interview the career attorneys that handled the case.

However, we understand that the Attorney General has instructed his department to ignore these subpoenas. The nation's chief law enforcement officer is forcing these career attorneys to choose between complying with the

law and complying with the Attorney General's obstruction.

At least one of the attorneys has been compelled to obtain private counsel.

I urge the House Judiciary Committee to report this resolution out favorably and to demand that the Attorney General answer the questions surrounding this case.

The career attorneys and Appellate Division within the department sought to demonstrate the Federal Government's commitment to protecting voting rights by vigorously prosecuting any individual or group that seeks to undermine this right.

This House must not turn a blind eye to the Attorney General's obstruction. He has an obligation to answer the legitimate questions of the House and the Civil Rights Commission.

It is imperative that we protect the right of all Americans to vote—the sacrosanct and inalienable right of any democracy.

I submit for the record a copy of the resolution that I am introducing.

RESOLUTION

Directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the decision to dismiss *United States* v. *New Black Panther Party*.

Resolved, That the Attorney General is directed to transmit to the House of Representatives, not later than 14 days after the date of adoption of this resolution, copies of any document, memo, or correspondence of the Department of Justice with regard to *United States* v. *New Black Panther Party*, or any portion of any such document, memo, or correspondence that refers or relates to—

(1) any department communications with regard to the case between November 5, 2008 and November 15, 2009;

(2) any communication with the defendants or the defendants' attorneys between November 5, 2008 and November 15, 2009;

(3) any communication with third-party organizations or individuals between November 5, 2008 and November 15, 2009; or

(4) any evidence with regard to the dismissal of the case.

HONORING THE LIFE OF EDDIE M. BROOKS

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HALL of Texas. Madam Speaker, I rise today in honor of the life of Mr. Eddie Brooks, a loving husband and father, veteran of the Korean War, and an American hero, who passed away August 18, 2009 at the age of 90.

Hailing from Hope, Arkansas, Mr. Brooks committed twenty years of his life in service to the United States Army, serving with the Army Medical Service, Medical Detachment, and 555th Field Artillery Battalion in the Korean War. Mr. Brooks was sent into combat in Korea with no training, but rose to the occasion, demonstrating bravery in how he handled himself and defended his comrades.

Early on in his deployment, his unit was trapped in a river bed where they were exposed to extensive shooting and grenades. Mr. Brooks was injured when one grenade got under his feet, seriously wounding one leg. Corporal Eddie M. Brooks refused evacuation, continuing to treat other wounded soldiers and assisting in their removal from the area. The United States Army Headquarters 25th Infantry Division stated, "When the unit began displacement because of increased hostile action, he drove a 2½ ton truck loaded with critical supplies to safety. Corporal Brooks' gallant and selfless devotion to duty reflects the greatest credit upon himself and the Army Medical Service." When asked about his received honors, Mr. Brooks always expressed his feeling that he was undeserving but appreciative, believing that others had sacrificed more than him.

For his military service, Mr. Brooks was awarded the Purple Heart, Silver Star, Germany Occupation Medal, United Nations Medal, Good Conduct Medal, National Defense Medal, and the Korean Service Medal.

At home, Mr. Brooks was the devoted husband to his wife of 58 years, Joyce, and the father of four daughters, Brenda, who passed away in 2005 due to illness, Debra, Charlotte, and Angela. Held in high esteem by all who knew him, he left behind a legacy of honor, service, and love. Madam Speaker, I ask those here today to join me in paying tribute to this great American hero, Mr. Eddie M. Brooks.

HONORING FRANK "PONCHO" ROBERTS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. BRADY of Texas. Madam Speaker, I rise today to honor Frank "Poncho" Roberts, a dedicated husband, father, and community servant on the occasion of his graduation from Sam Houston State University in Huntsville, Texas. Mr. Roberts graduates with a bachelor of fine arts degree in theatre.

Poncho Roberts was born to Frank and Daisy Roberts on February 19, 1932, in Madisonville, Texas. He spent part of his childhood in Huntsville, but later moved to Houston and graduated from Austin High School in 1949. After graduation, he worked for the Southwestern Bell Telephone Company. He spent most of his career working for the company at NASA as a craftsman and supervisor. Poncho fondly recounts his days working as a contractor for the space agency having seen some of its earliest missions from Gemini to Apollo.

Upon retirement in 1986, Poncho and his wife, Sugar, moved back to Huntsville to be close to their children. With a heart for serving others and a joyful, outgoing personality, Poncho was called on to help with various community service projects. He was the driving force behind the effort to build the Huntsville Aquatic Center, which has given the youth of Huntsville a place to swim and has allowed for the development of the Huntsville Lakers Swim Team.

Poncho has volunteered many hours of his time to work with the Huntsville-Walker County Chamber of Commerce working at the Sam Houston Statue and Visitors Center. He is a member of the Huntsville Rotary Club and leads the "I Like Me!" program that distributes books to children to promote literary and character building. Poncho is also a deacon at University Heights Baptist Church in Huntsville.

Poncho is well known for the penchant he has for the fine arts, especially theatre, and he has been a part of many plays performed by the Huntsville Community Theatre.

Of all his accomplishments, Poncho is most proud of being a loving husband and father. Poncho and Sugar have been married for 58 years. They have raised two children, a son, Frank Jr., and a daughter, Debbie. They have eight grandchildren and two great-grandchildren with another on the way.

Madam Speaker, Poncho Roberts has dedicated his life to being a family man and to serving his community. He is proof that education is a lifelong endeavor. It is such an honor to represent good people like Poncho in the U.S. House of Representatives. I urge you to join me in congratulating him on his graduation. That's Togetherness, One More Time.

RECOGNIZING A. PHILIP RANDOLPH FOR HIS LIFELONG LEADERSHIP AND WORK TO END DISCRIMINATION

SPEECH OF

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2009

Mr. AL GREEN of Texas. Mr. Speaker, today I express my support for H. Res. 150, introduced by my colleague Chairman CHARLES RANGEL, which recognizes the accomplishments of the great civil rights leader, A. Philip Randolph.

Mr. Randolph not only made great strides in shaping the civil rights movement during the turn of the 20th century, but he also impacted the growth of the labor movement and the rise of union labor.

A. Philip Randolph had a significant effect on political discourse in the African-American community during the 1930s with the founding of The Messenger, a political and literary magazine which documented several of the greatest injustices of our history. Through this magazine, Randolph advocated civil disobedience and membership in labor unions.

Mr. Randolph championed the cause of African-American men in labor, from sleeping car porters to elevator operators. He organized and founded the Brotherhood for Sleeping Car Porters, which fought for overtime pay and pay increases for sleeping car porters, a majority of which were African-American, at a time when sharecropping in the South was still widespread.

We also honor Mr. Randolph for his leadership in organizing the March on Washington, which will be remembered as one of the most important political rallies of the twentieth century.

A. Philip Randolph personified the idea of a renaissance man, as a writer, actor, political activist and union organizer. He achieved the unachievable during a time when education was unattainable for most African-Americans, even most Americans.

Mr. Randolph has received numerous awards, namely, the Congressional Medal of Honor, one of the highest honors for civilians in the United States of America. His contributions to our great Nation are undeniable, and

the path that he forged will be traversed by generations to come.

EARMARK DECLARATION

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CASTLE. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding funding benefitting the State of Delaware included in H.R. 3326, the Fiscal Year 2010 Defense Appropriations Act.

Name of Intended Recipient: Delaware National Guard

Location: First Regiment Rd, Wilmington, DE 19808

Requesting Member: Congressman MICHAEL N. CASTLE

Account: DRUGS

Name of Project: Delaware National Guard Counterdrug Task Force

Project Description: The Act includes $300,000 to provide counterdrug support to federal, state, and local law enforcement agencies and to Community Based Organizations requesting Drug Demand Reduction Assistance. Funding will provide unique military support and resources to our police agencies which enable the police to concentrate more police resources to other priorities in their department. Increased funding from federal appropriations will permit the Delaware National Guard to provide support to open requests from the FBI, Delaware State Police, and local authorities. It will also enable the Delaware Guard to expand its Drug Education Program.

Name of Intended Recipient: WL Gore & Associates

Location: 555 Paper Mill Rd., Newark, DE 19711

Requesting Member: Congressman MICHAEL N. CASTLE

Account: OM, DW

Name of Project: Special Operations Forces Modular Glove System

Project Description: The Act includes $4,780,000 to accelerate the fielding of the Modular Glove System for U.S. Special Operations Forces (SOF). This is a five piece system that provides the war fighter the necessary protection across a wide range of climactic conditions. Developed to be compatible with the SOF's Protective Combat Uniform designed for frigid conditions, this SOF Modular Glove System provides cold weather protection to −50 degrees as well as waterproof protection in wet conditions. The Special Operations Command has an established requirement for a Modular Glove System to better meet the real-world mission needs of its SOF in a broad range of deployed environments. This funding would accelerate the fielding by about one year to ensure all U.S. SOF forces in theater have access to this high technology, readiness enhancing system.

Name of Intended Recipient: University of Delaware

Location: Hullihen Hall, Newark, DE 19716

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, A

Name of Project: Composite Applied Research and Technology for FCS and Tactical Vehicle Survivability

Project Description: The Act includes $3,200,000 to rapidly advance the Technology Readiness Level of existing and promising new ultra-lightweight composite structures and armor for combat and light, medium and heavy tactical vehicle applications. Using heavy materials such as steel and aluminum will continue to result in vehicles that are too heavy to transport and will overload vehicles—which reduces life, increases maintenance costs and requires more frequent vehicle replacement. The project is addressing the critical needs of the U.S. Army to protect our soldiers and provide them with the best equipment to carry out their missions. Lightweight composite vehicle structures and armor increase mobility and mission payloads while increasing soldier protection against direct fire, improvised explosive devices and explosively formed penetrators.

Name of Intended Recipient: INVISTA S.à r.l.

Location: 2801 Centerville Road, Wilmington, DE 19808

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, A

Name of Project: Improved Thermal Resistant Nylon for Enhanced Durability and Thermal Protection in Combat Uniforms

Project Description: The Act includes $3,200,000 to increase the safety and protection of U.S. soldiers with improved flame resistant, durable, and lower cost materials for the U.S. Army combat uniforms. These improvements will meet an urgent need due to the threat of Improvised Explosive Devices (IED). This project will fund and accelerate research, development, testing, and evaluation for nylon fiber development, fiber formulation, fabric scale up and performance blend specification for U.S. Army combat uniforms.

Name of Intended Recipient: ILC Dover LP

Location: One Moonwalker Road, Frederica, DE 19946–2080

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, DW

Name of Project: Joint Services Aircrew Mask Don/Doff Inflight Upgrade

Project Description: The Act includes $2,400,000 for research, development, testing, and evaluation of a Joint Services Aircrew Mask, which will provide above the neck Chemical, Biological, and Anti-G protection to DoD aircrew personnel. The mask is a hood that goes over the wearer's head and seals at the neck. This project will enhance our military's mission capability while minimizing performance degradation in chemical and biological contaminated scenarios.

Name of Intended Recipient: Piasecki Aircraft Corporation

Location: 2nd Street West, Essington, PA 19029

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, N

Name of Project: X–49A Envelope Expansion Modifications

Project Description: The Act includes $3,600,000 to conduct flight demonstrations at New Castle County Airport in Delaware on the Vectored Thrust Ducted Propeller (VTDP) Compound Helicopter technology's potential to increase rotorcraft speed, range, and survivability. These funds will cover the cost of design, fabrication, assembly, instrumentation and check out of propulsion and control system modifications that will enable flight beyond the current operating limits of the baseline conventional helicopter. Many current US combat and humanitarian operations require rotorcraft capabilities well beyond those of existing fleet helicopters.

Name of Intended Recipient: ANP Technologies, Inc.

Location: 824 Interchange Blvd., Newark, DE 19711

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, DW

Name of Project: NIDS Handheld Common Identifier for Biological Agents

Project Description: The Act includes $2,400,000 for research, development, testing, and evaluation to develop a handheld device for detection of a variety of biological warfare agent related bacteria and viruses. According to the Report of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism (released in December 2008), a biological attack is more likely to be used by terrorists than any other weapons of mass destruction in the near future. The proposed handheld common identifier for biological agents will allow war fighters to perform rapid, on-site biological agent tests during threat situations.

Name of Intended Recipient: University of Delaware

Location: Hullihen Hall, University of Delaware, Newark, DE 19716

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, N

Name of Project: Advanced Composite Maritime Manufacturing

Project Description: The Act includes $1,600,000 to research and develop design, engineering and manufacturing technologies for U.S. Navy ship structures based on advanced lightweight composite materials. The objective of this project is to keep Navy, SOCOM (Special Operations Command), and Coast Guard craft at the forefront of technology, and help insure superiority of the US military in the water over current and future adversaries. The application of these materials and technologies will provide ship structures that are optimally engineered, and manufactured using state-of-the-art methods to provide the highest performance at the lowest cost.

Name of Intended Recipient: University of Delaware

Location: Hullihen Hall, University of Delaware, Newark, DE 19716

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, N

Name of Project: Millimeter Wave Imaging

Project Description: The Act includes $1,360,000 for research, development, testing, and evaluation to develop real-time millimeter-wave imaging to allow U.S. soldiers to see in harsh conditions, including dust, fog, sand, and clouds. Millimeter wave imaging systems are able to image through smoke, fog, marine layer, blowing dust and sand, and fabric. The technology development is supported by the Office of Naval Research with the intent to deploy systems on military helicopters landing in harsh environments such as the "brownout" conditions faced when landing in the deserts of places such as Afghanistan and Iraq. It will also improve situational awareness of Naval

vessels, particularly when close to the shore or at ports.

Name of Intended Recipient: University of Delaware

Location: Hullihen Hall, University of Delaware, Newark, DE 19716

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, A

Name of Project: Cybersecurity in Tactical Environments

Project Description: The Act includes $800,000 for research, development, testing and evaluation to detect vulnerabilities and intrusions in the U.S. Army's battlefield networks.

The U.S. Army uses mobile computer networks to both communicate between soldiers, and between soldiers and their weapons systems. This concept is called network centric warfare, and the security and availability of this network is critical to combat operations. The project will focus on detection of data exfiltration in tactical networks, intrusion detection in mobile ad-hoc networks, detection of malicious hardware and software components, and detecting security threats in commercial off the shelf (COTS) wireless networking equipment.

Name of Intended Recipient: Fraunhofer USA Center for Molecular Biotechnology

Location: 9 Innovation Way, Suite 200, Newark, DE 19711

Requesting Member: Congressman MICHAEL N. CASTLE

Account: RDTE, DW

Name of Project: Army Plant Vaccine Development Program

Project Description: The Act includes $1,600,000 for research, development, testing, and evaluation to deliver a combined multivalent one-shot vaccine to protect the U.S. Armed Forces and civilian communities against plague and anthrax. This quick response ability can assist communities around the world with mass therapeutic treatment or for mass vaccination in the event of bioterrorist attack or natural disease outbreak such as an avian influenza.

Name of Intended Recipient: Delaware National Guard

Location: First Regiment Road, Wilmington, DE 19805

Requesting Member: Congressman MICHAEL N. CASTLE

Account: OP, A

Name of Project: Phoenix Quad-Band Satellite Receiver for the Delaware National Guard

Project Description: The Act includes $3,200,000 for a mobile communications terminal to provide the Delaware National Guard with improved high data rate exchanges between various satellites and ground communications systems in secure and non-secure digital formats.

GRATITUDE FOR THE SERVICE OF GEORGE C. ELLIOTT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CONYERS. Madam Speaker, I rise today to honor George C. Elliott for his two years of dedicated service to the Committee on the Judiciary. As a detailee from the United States Patent and Trademark Office (USPTO), George spent a year with the Committee in 2007 and was gracious enough to come back for another year when I requested him again in 2009. George will be returning to the USPTO at the end of 2009, where he will resume his duties as a Director.

George came to work for the Committee to support Congress' efforts to pass patent reform legislation. George's knowledge and experience in patent law proved invaluable to this endeavor. In the 110th Congress, George's tireless work in advising and crafting policy options contributed greatly to passage of the House of Representative's patent reform legislation, H.R. 1908. His dedication to this task continued in the 111th Congress, where he has played an equally important role in advancing patent reform legislation.

In addition to patent reform, George has worked on a variety of other intellectual property policy and legislative matters, including patent settlements, technology transfer, gene patents, and USPTO appropriations. George's expertise, work ethic, and friendly nature have earned him the respect and admiration of his colleagues. He has become a fixture of the Committee's staff and a valued member of the Committee's intellectual property team.

We were privileged to have this opportunity to work with George and we wish him all the best in his future endeavors.

HONORING THE CAREER OF DON LINDSEY

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HALL of Texas. Madam Speaker, the Boy Scouts of America, which will celebrate its 100th Anniversary on February 8, 2010, has contributed to our communities through their leadership and dedication over the past 100 years, creating a better environment for our families to live, work and play. I rise today to pay tribute to one individual in particular, Mr. Don Lindsey, who began his scouting career in 1957. As an Eagle Scout, Mr. Lindsey took over a newly formed group as a Scoutmaster, a position he held for 31 years, and was directly involved in the making of 144 Eagle Scouts from this troop. He has served as a Boy Scout Chairman twice, and is directly responsible for $4.4 million in facility renovations and new additions to Clements Scout Ranch over the last four years, with another $6 million slotted for use.

Along with his service to the Boy Scouts of America over the past 52 years, Mr. Lindsey has been involved in service to his community and country in many other forms. He served as mayor of Terrell, Texas for ten years, County Fire Marshall for eight years, and retired from 35 years of military service as an Army Command Sergeant Major. In his church, Mr. Lindsey has served as an elder, deacon, and board member. He currently serves as a Council Committee Member and Summer Camp Director for Circle Ten Council.

His contributions to his community have been recognized through the many awards and decorations he has received, including the Whitney Young Award; God and Service Award; Citizen of the Year for Terrell, Texas; Silver Beaver; and the George Meany Award.

Mr. Lindsey is a man who lives by example through his service to God, country, and through his role as a Scout, which has garnered him respect by all those who come in contact with him. Madam Speaker, I ask those present today to join me in recognizing a true servant to our country, Mr. Don Lindsey.

RECOGNIZING KYLE FOSS AND MICHAEL HAWKEN

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. McKEON. Madam Speaker, I rise today to recognize two incredible young men, Kyle Foss and Michael Hawken. Both Kyle and Michael have achieved three prestigious honors: the Eagle Scout Award, the Venturing Silver Medal, and the Venturing Ranger Award. Nationally, less than one in ten thousand Boy Scouts earn all three of these honors, and they are the first young men in the history of California's 25th Congressional District to earn these prestigious honors.

The hard work and dedication of Kyle and Michael will pay dividends throughout their lives. The Boy Scouts teach boys and young men the value of hard work, commitment, community service, and morality. Kyle and Michael have been shaped by this outstanding organization and will continue to build on the strength of the program.

Kyle and Michael have proven to be young men of great character. They have learned what it means to be responsible citizens and have committed themselves to improving the communities in which they live. In a fast-paced and rapidly changing world, Kyle and Michael have anchored themselves in the most consistent fundamentals of America. I admire their spirit and enthusiasm to go above and beyond their duties in all that they do. I thank these young men for their service to our community, our state, our nation, and congratulate them on their remarkable achievements.

WALTONVILLE COAL GASIFICATION PLANT

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to express my opposition to the encroachment of federal authority into matters of the state and the continued appeasement of environmental special interests over the well-being of the American people.

Several weeks ago, the Illinois Environmental Protection Agency permitted the construction of a new coal gasification plant near Waltonville, IL. An appeal was filed to prevent construction with the U.S. EPA based on their "finding that carbon dioxide and other greenhouse gases represent a significant threat to public health and welfare."

Burdensome regulations levied on unsubstantiated science will destroy jobs. Coal gasification, the production of coal gas to convert

into liquid gasoline, is a real solution to rising energy prices and it creates jobs here in the United States.

Taking drastic precautionary steps like those suggested by the EPA will have profound consequences on workers in Southern Illinois and all people throughout the country. Government action to reduce greenhouse gas emissions is not without a heavy cost. It is irresponsible for a group of unelected bureaucrats at the EPA to make significant policy decisions that will restrain and prevent job creation based on unproven science. The EPA's response to their endangerment findings will more certainly endanger the economic well-being of Americans than fulfill the Obama Administration's promise of reducing carbon emissions or lowering global temperature.

HONORING THE ACCOMPLISHMENTS OF MALIA CALI

HON. STEVE SCALISE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SCALISE. Madam Speaker, I rise today to honor Malia Cali, the 2009 High School Heisman Award winner. Malia is a senior at St. Thomas Aquinas High School in Hammond, Louisiana, and is only the second winner in the history of the award from the State of Louisiana. She is a three-year All State selection in track and field, cross-country and soccer. Off the field, Malia founded ''Cleats for Kids,'' a non-profit organization that collects used cleats and distributes them to children in Nicaragua. As if her impressive athletic and community service achievements weren't enough, Malia also has the No. 1 academic ranking in her senior class.

The High School Heisman has been awarded to one male and one female student each year since 1994. The High School Heisman recognizes the Nation's most esteemed high school senior men and women for excellence in academics, athletics and community service. Malia's success both on and off the field is a testament to what can be accomplished with hard work, dedication, and a commitment to others.

It's easy to see why Malia Cali was selected over nearly 55,000 other entrants in this competition. Malia is truly deserving of this prestigious award. Her successes and achievements shine brightly on the State of Louisiana, and I am proud to highlight the accomplishments of Malia Cali here today.

STATEMENT ON H.R. 4173, THE WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2009

HON. MELISSA L. BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. BEAN. Madam Speaker, as the principal author of the compromise provision regarding the preemption of State consumer financial laws under the National Bank Act and the Home Owners Loan Act that was included in the manager's amendment on page 139 to 150, I wanted to take this opportunity to explain to my colleagues my intention in drafting the language.

The compromise language made improvements in several areas to allow national banks and Federal savings associations, which are institutions that operate under a national charter to comply with a uniform national standard where appropriate. I would like to further explain four components of the compromise specifically for the House. Those components include (1) limiting the scope of new preemption procedures to State consumer financial laws, so as not to affect preemption for other State laws; (2) the ability for categories of State consumer financial law to be preempted; (3) modifications of the preemption standard to more accurately reflect the Supreme Court Case of Barnett Bank v. Nelson, which established the preemption standard currently applied to national banks and Federal savings associations; and (4) the degree of deference afforded to the Office of the Comptroller of the Currency and Office of Thrift Supervision by the courts.

First, under the compromise, the changes to preemption procedures under the National Bank Act for national banks and the Home Owners Loan Act for Federal savings associations are exclusively limited to State consumer financial laws. During the drafting of the compromise, I removed a sentence, previously suggested by the Committee that said national banks are to generally comply with State law. I removed this sentence because I wanted to make clear that the changes in the Act do not alter the preemption standards and precedents that apply to those State laws which are not State consumer financial laws. Narrowing the scope to just State consumer financial law is consistent with the initial scope of Subtitle D of H.R. 3126, The Consumer Financial Protection Act, when it was introduced in July 2009.

Second, the compromise language included language that allows for categories of State consumer financial law to be preempted. This means that if the Comptroller of the Currency (the regulator of national banks) or the Director of the Office of Thrift Supervision (the regulator of Federal savings associations) determines a State consumer financial law in a particular state should be preempted because it ''prevents, significantly interferes with, or materially impairs'' the abilities of a national bank or Federal savings association, then that specific determination can be applied to other States' consumer financial laws with equivalent terms. For example, if one state seeks to require additional disclosure requirements for credit cards that the Comptroller of the Currency determines ''prevents, significantly interferes with, or materially impairs'' the ability of a national bank to engage in the business of banking, that determination can be applied to another state's credit card disclosure laws if those laws have equivalent terms.

Third, a critical portion of the compromise was drafting a preemption standard that embodied existing precedent. The preemption standard that was reported out of the Financial Services Committee stated that a State law could be preempted if it ''prevents or significantly interferes with'' the ability of a national bank (or a Federal savings association) to engage in the business of banking. ''Prevents or significantly interferes with'' has been often mentioned as the shorthand citation of the preemption standard established by the Supreme Court in 1996 in Barnett Bank v. Nelson. However, as I and many others have noted, the Supreme Court ruling was not limited to those two terms as the only circumstance in which preemption of State laws is appropriate. In fact, they expanded on those words by saying that a State law should be preempted not only when it ''prevents or significantly interferes with,'' but also ''stands as an obstacle to the accomplishment of the purposes,'' ''encroach(es) on,'' ''destroy(s) or hamper(s),'' or ''impair(s).''

Since the Barnett case describes a number of situations in which State law is preempted, in addition to the ''prevents or significantly interferes with'' standard, I was concerned that limiting the underlying text to the shorthand expression of ''prevents or significantly interferes with'' could be construed as narrowing the Constitutional standard. I therefore added the words ''materially impairs,'' so that there would be no question that the preemption standard is the same as the standard described in Barnett, and that State consumer financial law may be preempted if it violates any of the well established Constitutional benchmarks for preemption. I chose the word ''materially'' because if the impairment is not material—meaning it would only have a negligible effect on the bank—it should not be subject to preemption under current law.

When making preemption determinations on State consumer financial laws, the Comptroller of the Currency for national banks, Director of the Office of Thrift Supervision for Federal savings associations, or the Court must find that Federal law applicable to national banks and Federal savings associations, including regulations and similar issuances, deals with the subject or activity that the State consumer financial law is seeking to regulate. A good example is the detailed disclosure requirements set by Federal law and Federal regulators, developed after substantial consumer testing, that apply to certain types of consumer financial products.

Finally, the compromise language is intended to clarify that when a court is reviewing an OCC determination concerning the proper interpretation of the National Bank Act or other Federal law that the OCC is charged with administering, the court is to apply the traditional deference accorded to an agency, often referred to as ''Chevron'' deference. The same clarification applies when a court is reviewing an OTS determination regarding the proper interpretation of the Home Owners Loan Act or other Federal law that the OTS administers. Further, while the underlying legislation directed the courts to apply a different type of deference to OCC or OTS preemption determinations, the compromise amendment makes clear that the Chevron deference standard applies to all OCC and OTS interpretations of Federal law, the National Bank Act, and the Home Owners Loan Act, including those made in the context of a preemption determination.

Madam Speaker, I thank you for the opportunity to further explain the preemption compromise I drafted in the manager's amendment.

I yield back the balance of my time.

IN CELEBRATION OF THE WORK OF RONALD EUGENE KIRK

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SCOTT of Georgia. Madam Speaker I rise today to honor a dedicated member of my staff, Mr. Ronald Kirk, who has dedicated his life to government service. Born on November 2, 1944, in New York City to William Henry Kirk and Marjorie Smith Kirk, Ronald Eugene Kirk, the fourth of five children, was born and raised in Harlem and is a product of the New York City Public School system. Ron's passion for community involvement and neighborhood empowerment was evident from the start of his life. After receiving a bachelor's in business administration from Pace University and a master's in business management from Manhattan College, Ron began his lifelong involvement in community service.

Early on, Ron became politically active and cut his teeth with such community based organizations as the Community Planning Board #10 in Manhattan, the Community Corporation/Harlem Youth in Action, Model Cities and several political organizations established in the Harlem community. He was twice elected Democratic District Leader in the 70th Assembly District of New York. Ron served as foundation director of the City University of New York and as a confidential secretary to a New York Supreme Court Judge. During his time in New York, Ron received numerous accolades and commendations from such notable individuals as Representative CHARLIE RANGEL, former Mayor David Dinkins, Former New York Secretaries of State Basil Patterson and Percy Sutton. His efforts have been recognized by organizations such as the Sickle Cell Foundation, the Catholic Youth Organization, and the New York City Department for the Aging.

Upon moving to Atlanta, Ron served as a dedicated host for the 1996 Olympics held in Atlanta, Georgia, and worked for the David Scott for Congress campaign in 2002. For the past 8 years he has served admirably as my senior Immigration/Department of State Specialist and Constituent Services Representative.

Ron is a dedicated family man, having been married to the lovely Emma for 38 years, has two beautiful children, Kwesi and Amina, and three wonderful grandsons, Nikai, James and Malachai. Ron is actively involved in community outreach and the Red Oak Methodist Church in Stockbridge, Georgia.

It is with a heavy heart that I and my staff say goodbye to Ron as he retires from my Congressional staff. I am extremely proud of the accomplishments Ron has made throughout his life and for his outstanding work in my office. As this chapter of Ron's life closes and he begins his new chapter, it is a blessing to know that Ron's ability to be a social catalyst touched the lives of many in the 13th District of Georgia and the Nation. Ron, I wish you every success for the future and thank you for your outstanding work effort, passion for change, and your ability to look at the impossible and ask, "why not?"

God bless Ron Kirk.

RECOGNIZING THE 75TH WEDDING ANNIVERSARY OF MARVIN AND MARY LOU COHRON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Marvin and Mary Lou Cohron on the occasion of their 75th wedding anniversary. Their 75 years of marriage is a testament to all American families, and I am proud to honor the Cohrons.

Marvin and Mary Lou first met at Excel Junior High School in Monroe County, Alabama, around 1932. Both were the children of farming families and spent much of their free time going to church services and social functions. On a Sunday evening, December 23, 1934, Marvin drove Mary Lou and some of her family to the home of the Justice of the Peace where the two were married. Marvin was 16 and Mary Lou was 15.

After their marriage, Marvin and Mary Lou tried their hand at farming. After 3 years of marriage, Marvin had saved enough money from the sale of collard greens they had grown to buy Mary Lou a wedding band. Marvin moved to Pensacola, Florida, in 1939 and started work at the Pensacola City Bus Company while Mary Lou continued working at Vanity Fair in Alabama until she was able to join her husband in Pensacola. In 1943, Marvin was drafted into the United States Navy where he served honorably in World War II. He then went to school on the G.I. Bill to learn refrigeration maintenance and repair. In 1950, Marvin began work at Navy Point stores before going into business for himself in 1958. He opened Cohron's Air Conditioning/Refrigeration Sales and Service and Mary Lou worked as the bookkeeper and secretary for the office. In 1986, the Cohrons retired. They now spend their days enjoying fishing, camping, and ballroom dancing. They belong to several seniors' dance clubs and Mary Lou belongs to the Red Hat Society.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize the 75th wedding anniversary of Marvin and Mary Lou Cohron. Their family has been an invaluable part of our community for over seventy years. My wife Vicki and I wish Marvin and Mary Lou, their 5 daughters, 10 grandchildren, 12 great-grandchildren, and great-great grandchild all the best.

HONORING JUDGE DRAYER

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GERLACH. Madam Speaker, I rise today to honor the Honorable Calvin S. Drayer Jr. who is retiring after faithfully serving the people of Montgomery County, Pennsylvania, as a Common Pleas Court Judge since 1998.

Before joining the Montgomery County Court, Judge Drayer had a distinguished legal career that spanned nearly 30 years. He was a founding partner in the Norristown-based firm of Wilson, Drayer, Morrow and Broderick where he concentrated on estates and trust law.

Despite his demanding career and heavy caseload, Judge Drayer has always been generous with his time and talent outside the courtroom. He is a Fellow of the American College of Trusts and Estate Counsel and a member of both the Supreme Court Orphans' Court Procedural Rules Committee and the Pennsylvania Joint State Government Commission Advisory Committee on Descedents' Estates. Judge Drayer also was an organizer of the probate and Tax Section of the Montgomery County Bar Association and an adjunct professor in the graduate tax program at the Villanova University School of Law.

Madam Speaker, I ask that my colleagues join me today in recognizing the outstanding service and extraordinary career of the Honorable Calvin S. Drayer Jr. and all who dedicate their careers to the pursuit of justice.

A TRIBUTE TO FLOYD HAYS ELLIS

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GUTHRIE. Madam Speaker, I rise today to honor the memory of a truly remarkable Kentuckian, Floyd Hays Ellis. Over the course of his long and storied life as a farmer, soldier, businessman and state senator, Bowling Green's favorite son embodied the values of the "Greatest Generation" to which he belonged.

Generous in the extreme, Ellis was just as thoughtful a legislator as he was a friend and father. Known for his winning smile and wry sense of humor, he proved to be a canny businessman, as well. He served for 20 years as the president and CEO of the Warren Rural Electric Cooperative Corp., in addition to chairing the boards of Citizens First Bank, Trans Financial Bank Corp., Commonwealth Health Corp. and the Kentucky Association of Electric Cooperatives.

Though many people who enjoy his level of success often sacrifice their private lives for the sake of their profession, Floyd never put his work before family and friends. To the contrary, Floyd's natural sociability and devotion to his loved ones was perhaps his most remarkable trait.

Sadly, on Saturday, December 12, 2009, Floyd Hays Ellis passed away in the company of his long-time group of friends and confidants; and while Kentucky may never again see one of its finest sons, the evidence of his legacy will be visible in the countless lives that he touched.

HISTORICAL PERSPECTIVE OF THE ONEIDA TRIBE OF INDIANS OF WISCONSIN

HON. STEVE KAGEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. KAGEN. Madam Speaker, the Oneida Tribe of Indians of Wisconsin is sovereign government with a long and proud history of self-government. We are a federally recognized treaty tribe of the United States. We have faced threats and continue to face

threats to our homelands. The Oneida have persevered in the face of adversity for centuries, and we proudly and passionately continue to protect and preserve our homelands.

The Oneidas, along with the Mohawk, Seneca, Cayuga and Onondaga comprised the original Five Nations of the Iroquois Confederacy that dates back to the 1500s, which later became the Six Nations when the Tuscarora joined in the 1700s. The Iroquois held millions of acres of land in what is now the State of New York, which entered statehood in 1776.

During the Revolutionary War, the Oneida and the Tuscarora supported the colonies and served in General George Washington's army. For this service, our lands were to be protected forever, a promise reflected in the 1794 Treaty of Canandaigua between the Oneida and United States.

The 1784 Treaty of Fort Stanwix was the first treaty between the Oneida and United States that established peace between the Iroquois Confederacy and the colonial states, which operated under the Articles of Confederation at the time. This treaty of peace established the government-to-government relationship between the Oneida Tribe and the United States that continues to exist today.

Through the 1785 Treaty of Fort Herkimer and the 1788 Treaty of Fort Schuyler with the State of New York, the Oneida lost more than 5 million acres of their ancestral homelands to the State of New York.

In 1789, the States ratified the United States Constitution, which declared treaties of the United States to be the law of the land. The United States adopted the Non-Intercourse Act of 1793, which prohibited the purchase of any Indian land by any person or entity without the Federal Government's approval.

In spite of the Non-Intercourse Act, the State of New York continued to enter into a series of land transactions between 1795 and 1846 with the Oneida in direct violation of Federal law. These land transactions continued to deplete the Oneida land holdings in New York until only 32 acres remained in Oneida possession by the 1820s.

During the 1820s, Oneidas relocated to what would become the State of Wisconsin to establish new homelands. The Oneidas purchased 5 million acres of land from the Winnebago and Menominee Tribes for the purpose of preserving sovereignty as a self-governing sovereign nation. This band of Oneidas became recognized as the Oneida Tribe of Indians of Wisconsin, who entered their final treaty with the United States in 1838, 10 years before Wisconsin entered statehood.

The Treaty of 1838 between the Oneida Tribe of Indians of Wisconsin and the United States established the present day Oneida Reservation boundaries located in northeast Wisconsin and comprised of 65,430 acres. To the present day, the Oneida Reservation has not been diminished or disestablished by an Act of Congress and our reservation boundaries as established by treaty continue to exist under the full force and effect of Federal law and the United States Constitution.

The Dawes Allotment Act of 1887 enacted by Congress was the next challenge of maintaining our homelands. Our lands were divided into individual parcels that resulted in a significant loss of tribal land ownership because our members did not understand the English language and did not understand land taxation. Consequently, tribal land ownership was reduced to a few thousand acres within the Oneida Reservation boundaries.

The Dawes Allotment Act and the loss of tribal land ownership were ended when Congress passed the Indian Reorganization Act of 1934, IRA. The Federal policy of the IRA was to recognize and strengthen the authority and autonomy of tribal governments, and implicit in the recognition of tribal authority is a tribe's right of self-government. The IRA provided the foundation for adopting a tribal constitution that would govern tribal members.

In 1936, the Oneida membership adopted the Oneida Constitution that established an elected governing body for the Oneida membership. Upon adoption of the Oneida Constitution, the United States Federal Government purchased 1,270 acres of land within the Oneida Reservation and placed that land into trust for the benefit of the Oneida Tribe.

Since passage of the IRA, the Oneida Tribe has taken the initiative to actively acquire ownership of land within the Oneida Reservation boundaries, and to provide for its membership through governmental programs and services that meet the needs of the people. More importantly, the Oneida Tribe has strengthened its authority by the adoption, implementation and enforcement of tribal laws. The Oneida Tribe preserves its sovereignty by exercising the inherent right of self-government over our lands and members within the Oneida Reservation boundaries.

Among the most significant of our continuing initiatives is the Oneida Land Claim and the resolution of that claim. The Oneida Land Claim is the oldest and largest land claim in the United States. Oneida has twice prevailed before the Federal courts, most recently in 1985 when the United States Supreme Court recognized the Oneida's rightful claim against the State of New York for its violations of Federal law more than 200 years ago.

The Oneida Tribe entered into treaties with the United States that are recognized as the law of the land under the United States Constitution. Federal law, United States Supreme Court decisions and Federal Indian policy recognize the treaty obligations of the Federal Government to the federally-recognized tribes of the United States. The Oneida treaties also established the government-to-government relationship between the Oneida Tribe and the United States, and form the basis for the Federal trust responsibility that is also recognized by Federal law, United States Supreme Court decisions and Federal Indian policy.

The Oneida Land Claim is deeply intertwined with the history of the United States. We have strived to resolve this claim through continued negotiation and mediation and will continue to do so as a means to protect and preserve our Tribal homelands. The Oneida will continue to act in an honorable manner to resolve the land claim that allows the United States, under the Federal trust responsibility owed to the Oneida Tribe by virtue of our treaties with the United States, to right the wrongs of the past that continue to exist today.

EARMARK DECLARATION

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 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. 3326—Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Project Name: Regional Counter-Drug Training Academy—Meridian

Project Amount: $2,800,000

Account: Operating Forces Drug Interdiction and Counter-Drug Activities, Defense

Recipient and Address: MS National Guard, Naval Air Station, 219 Fuller Road, Meridian, Mississippi

Description of Request: The National Guard Bureau identified a Fiscal Year 2009 unfunded requirement of $24.2M for Counterdrug (CD) Schools. With appropriate funding, CD schools will be better positioned to provide counter narcotics-based training programs critical to domestic law enforcement against narcoterrorism. The RCTA Meridian budget has shown little growth since FY2000, yet the costs associated with training law enforcement officers have increased by approximately 20 percent.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Project Name: On-Board Hybrid Power Unit (OBHPU)

Project Amount: $1,040,000

Account: Research, Development, Test, and Evaluation, Army

Recipient and Address: Diversified Technology, 476 Highland Colony Parkway, Ridgeland, MS 39157

Description of Request: 2010 funding will ensure the completion of, field-testing, development, integration plan and a training program for the production version of the OBHPU 10 KW system. The Space and Missile Defense Command (SMDC) supports the OBHPU program to provide on-board electric power to deployed radar and missile systems, and is applicable in many other fields.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Project Name: Simulation Based Reliability and Safety (SimBRS) Program

Project Amount: $4,900,000

Account: Army, Combat Vehicle and Automotive Advanced Technology

Recipient and Address: Mississippi State University, P.O. Box 6301, Mississippi State, MS 39762.

Description of Request: SimBRS engages in synergized research and development experimentally validated cradle-to-grave modeling and simulation capabilities to optimize reliability in vehicular components and systems with consideration of uncertainties in input loads, manufacturing, operations and maintenance, and material properties to decrease weight and cost, and yet increase the performance, durability, and safety of the warfighter. This initiative is a follow-on effort to ongoing Mississippi State University simulation based reliability systems research.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Project Name: VePro—Health Usage Monitoring and Vehicle Prognostics

Project Amount: $2,880,000

Account: Army, Combat Vehicle and Automotive Advanced Technology

Recipient and Address: nCode International, 200 Research Blvd., Starkville, MS 39759

Description of Request: Better understanding of operational usage severity is critical for vehicle designs to reliably meet needs at minimum cost and weight. VePro will save billions of dollars spent annually on maintaining U.S. Army equipment, improve readiness and reduce danger to soldiers from unexpected vehicle failures. The next stage is to evolve these into scalable, robust cost effective pre-production Vehicle Health Management Systems (VHMS)—technology configuration, manufacturing, assembly and testing for pre-production systems.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Project Name: F–15C AESA Classified Demo

Project Amount: $8,000,000

Account: Air Force, F–15E Squadrons

Recipient and Address: Raytheon, Forest Consolidated Manufacturing Center, 19859 Highway 80, Forest, MS 39074

Description of Request: Funding will be used for the final year of a 3-year development effort to demonstrate APG–63(V)3 Active Electronically Scanned Array (AESA) classified capability with a Radar Common Data Link (RCDL). ANG and USAF F–15s are the backbone of forces assigned to perform a significant portion of the Nation's Homeland Defense mission, protecting the United States from attack by an airborne threat. FY10 funding will complete the third and final phase of the 3-year RCDL demonstration program.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Project Name: Silicon Carbide Electronics Material Producibility Initiative

Project Amount: $2,400,000

Account: Air Force, Advanced Materials for Weapon Systems

Recipient and Address: II–VI Wide Band Gap Materials Group, 201 Research Blvd., Starkville, MS 39759

Description of Request: Funding will be used to develop technology, and establish production capability, along with evaluation and testing of SiC materials and integrated circuits for use in high power, high frequency DoD weapons systems and platforms. Future mission requirements dictate a range of current and next-generation U.S. Military systems requiring critical high frequency and high power components with dramatically enhanced capabilities which are unattainable with current technology.

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Project Name: Advanced, Long Endurance Unattended Ground Sensor Technologies

Project Amount: $3,920,000

Account: Defense-Wide, Special Operations Intelligence Systems Development

Recipient and Address: Mississippi State University, P.O. Box 6301, Mississippi State, MS 39762

Description of Request: A significant challenge in modern military operations is the ability to achieve and maintain real-time battlefield situational awareness. Achieving battlefield situational awareness requires the ability to robustly and persistently monitor the movements of the adversary in near real-time across a wide range of operational environments including foliage, mountainous, and urban terrain. This initiative is a follow-on effort to ongoing Mississippi State University Unattended Ground Sensor (UGS) research and development in support of the U.S. Special Operations Command (USSOCOM).

EARMARK DECLARATION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SMITH of New Jersey. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 10 Department of Defense Appropriations Act.

Requesting Member: Representative CHRISTOPHER H. SMITH

Bill Number: H.R. 3326

Project name: Re-establishing Ties: The Road from Warrior to the Community

Account: OM, ARNG

Legal Name of Requesting Entity: New Jersey Department of Military and Veterans Affairs

Address of Requesting Entity: 101 Eggert Crossing Road, Lawrenceville, NJ 08648

Description of Request: This funding would be used to help successfully transition returning soldiers back in civilian life through the NJ National Guard's multi-tiered, reintegration program to address the needs of the returning combat veteran. This program includes: PTSD and TBI Screening; Suicide Prevention Efforts; Small Business Restart Assistance; and Counseling Services, among other benefits.

CELEBRATING THE 50TH ANNIVERSARY OF THE GARFIELD RIDGE CHAMBER OF COMMERCE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. LIPINSKI. Madam Speaker, I rise today to honor the Garfield Ridge Chamber of Commerce as it celebrates 50 years of service to the community.

Founded in 1959, the Garfield Ridge Chamber has grown to 100 members who work tirelessly to fully embody its motto, "The Neighborhood that Cares and Shares."

The chamber takes great pride in being an active member of the community, participating each year in the Patriot Day Parade and Annual Pumpkin Parade, providing Christmas decorations along a major thoroughfare in the neighborhood, delivering a business directory to 17,500 homes in the area, and recognizing a police officer, firefighter, and teacher of the year at its annual dinner dance.

The chamber's largest event, in which it takes special pride, is the "Snack with Santa," at which children are provided with a gift from Santa, snacks, and a puppet show. This year marks the 26th anniversary of the event, which is extremely popular, attracting over 1,300 attendees.

Throughout the year, chamber members show their commitment to the organization and its role in the community at monthly gatherings featuring speakers who keep business owners informed of new developments and innovations.

Through its dedication to service, the Garfield Ridge Chamber of Commerce has contributed immensely to the larger community. As a proud native of Garfield Ridge, I sincerely offer the chamber's many dedicated members my heartfelt congratulations on the occasion of its 50th anniversary.

A PROCLAMATION HONORING SHERRI LAWRENCE FOR HER CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SPACE. Madam Speaker,

Whereas, Sherri Lawrence has been granted certification by the National Board for Professional Teaching Standards; and

Whereas, Sherri Lawrence has sufficiently demonstrated adherence and dedication to the five core propositions of teaching set by the National Board for Professional Teaching Standards; and

Whereas, due to her hard work and dedication to her profession, Sherri Lawrence was able to achieve this esteemed honor; and

Whereas, we recognize the values and lessons teachers impart to our children; and

Whereas, the creative ingenuity that Sherri Lawrence has demonstrated while educating her students; now, therefore, be it

Resolved, that along with Ohio's 18th Congressional District, I congratulate Sherri Lawrence for her certification by the National Board for Professional Teaching Standards.

FIRST RESPONDER ANTI-TERRORISM TRAINING RESOURCES ACT

SPEECH OF

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2009

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 3978, legislation that would permit the Center for Domestic Preparedness to accept gifts and donations in order to better train our Nation's first responders. As Chairman of the Committee on Homeland Security, I am pleased that the House is considering this legislation today, and I urge my colleagues to support its passage.

Mr. Speaker, the Federal Emergency Management Agency's Center for Domestic Preparedness, Center, is the Nation's leading all-hazards first-responder training center. Located in Anniston, Alabama, the Center has

provided emergency response training to first responders in all fifty States and territories, as well as Federal Government employees, foreign officials, and private entities. The Center is especially well-known internationally for its weapons of mass destruction training facility.

The Center often receives offers of donated goods and services, such as training displays, response equipment, and trailers. These donations would allow the Center to offer stronger training opportunities at a lower cost to the Department of Homeland Security, DHS, and the American taxpayer. Regrettably, the Center does not have the legal authority to accept gifts that would enhance its ability to deliver superior training.

H.R. 3978 would amend the Implementing Recommendations of the 9/11 CommissionAct of 2007 to permit the Center to receive donated gifts and services that are related to preparedness for and response to terrorism. The legislation further calls on the Secretary of Homeland Security to annually report to Congress on gifts accepted and how such gifts contribute to the mission of the Center.

Other DHS training centers, such as the Federal Law Enforcement Training Center, already have the authority to accept gifts and donations. It is only appropriate that the Center also have this authority.

Mr. Speaker, H.R. 3978 is a straight-forward piece of legislation that will pay immediate dividends for our first responder community. I support its passage and encourage my colleagues to support it as well.

THE LOSS OF JACK PEEL

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. CASTOR of Florida. Madam Speaker, I rise today in honor of a brave American veteran and a great Floridian, Jack Peel, who passed away on November 29, 2009.

Mr. Peel was a native Floridian, born in Chipley, and a graduate of Chipley High School. He served his country for four years in the Navy where he made lifelong friends with his fellow sailors. He then joined the Air Force where he remained for the next 26 years and retired as master sergeant.

After retirement from the military, Mr. Peel and his beloved wife Lynette made their home in Bay Crest Park in Hillsborough County, Tampa. There he dedicated his time to public service. He served as president of the Bay Crest Park Civic Association, an active member of the Town N Country Alliance, a Catholic Church community volunteer and advocate. Jack Peel had a talent for persuading his neighbors, policymakers, and the Hillsborough Board of County Commissioners to beautify and enhance Bay Crest and Town N Country. He and Lynette and the outstanding Town N Country community activists worked diligently to improve our community. For his dedication to service, the Civic Association completed Peel Park in December 2009 in honor of Mr. Peel.

Madam Speaker, Jack Peel will be greatly missed. For all who love our community, be inspired by Jack Peel's dedication and service.

BUENOS AIRES NATIONAL WILDLIFE REFUGE

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GRIJALVA. Madam Speaker, I rise today to pay tribute to all the staff at the Buenos Aires National Wildlife Refuge. The Refuge consists of a beautiful 118,000 acres of mountains, riparian zones, and grasslands in the Southern Arizona desert and contains majestic areas such as Brown Canyon, Arivaca Cienega and the Baboquivari Mountains.

The Buenos Aires National Wildlife Refuge is a sanctuary for many different types of wildlife including the Pima pineapple cactus, the pygmy-owl and the endangered masked bobwhite quail.Additionally, 325 bird species, 53 species of reptiles and amphibians, 58 mammal species, including mule deer, white-tailed deer, pronghorn, javelina, and mountain lions all call the Refuge home. Without the protection of the Refuge, many of these species would disappear and be lost to us forever. The Refuge is also a vital part of the community and offers guided tours, hiking, camping, horseback riding, mountain biking, excellent birding, and plenty of beautiful picnic areas. The Refuge even offers wonderful educational opportunities through volunteer projects and nature workshops.

The men and women employed at the Refuge work tirelessly to preserve this beautiful area. Through their efforts, the Refuge has successfully reintroduced the endangered bobwhite quail and the pronghorn deer into the wild and ensures their continued protection. These people are truly the guardians of an environmental treasure and view their task as a privilege, not just a job.

In addition to the wonderful staff at the Refuge, an exemplary group of volunteers known as the Friends of the Buenos Aires National Refuge dedicate their time to the community education conservation, and preservation of this wonderful land. This nonprofit group gives selflessly to promote the goals of the Refuge and with the help of the Refuge staff; they recently held the 1st Annual Grasslands Fair to celebrate this beloved land.

The Buenos Aires National Wildlife Refuge, its staff, and the volunteers who dedicate their time are all truly valued players in the protection of America's wild lands. Being a member of the House Committee on Natural Resources and having seen our community grow to over a million people, during my lifetime, I know the importance of protecting areas like the Buenos Aires National Wildlife Refuge. It gives me great joy to see such wonderful people giving of themselves to preserve and protect this spectacular region of southern Arizona.

A PROCLAMATION HONORING MICHELE MANISKAS FOR HER CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SPACE. Madam Speaker,

Whereas, Michele Maniskas has been granted certification by the National Board for Professional Teaching Standards; and

Whereas, Michele Maniskas has sufficiently demonstrated adherence and dedication to the five core propositions of teaching set by the National Board for Professional Teaching Standards; and

Whereas, due to her hard work and dedication to her profession, Michele Maniskas was able to achieve this esteemed honor; and

Whereas, we recognize the values and lessons teachers impart to our children; and

Whereas, the creative ingenuity that Michele Maniskas has demonstrated while educating her students; now, therefore, be it

Resolved, that along with Ohio's 18th Congressional District, I congratulate Michele Maniskas for her certification by the National Board for Professional Teaching Standards.

AUTHORITY TO CONVERT CERTAIN OVERSEAS LIMITED APPOINTMENTS TO PERMANENT APPOINTMENTS

SPEECH OF

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2009

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of H.R. 1517, a bipartisan bill authored by Representative ENGEL and the ranking member on the Committee of Homeland Security, Representative KING.

As chairman of the Committee on Homeland Security, I am grateful to these members for putting before us today a bill that aims to fix a discrete but important issue at Customs and Border Protection.

In short, this bill gives the Commissioner the authority to noncompetitively convert approximately 35 overseas CBP employees into full-time permanent civil service positions.

These employees were originally hired by the Immigration and Naturalization Service under ''limited overseas appointment'' authority between 1987 and 2003.

Over time, the nature of their work changed, but their employment designation did not.

Since 2005, CBP, the Office of Personnel Management and the Department of State have been trying to fix the glitch, but realize they need the help of Congress.

Doing so will not only ensure that the employees continue to receive the appropriate benefits, but will also provide them with the protections they deserve as dedicated employees serving the CBP mission abroad.

Further, this conversion of employment status will ensure that CBP and the United States honor agreements between our country and our foreign counterparts, such as Ireland, governing U.S. personnel overseas.

Going forward, using the authorities provided to the Commissioner in H.R. 1517, it is my hope that the Commissioner will take the histories of these dedicated 35 individuals into account when applying CBP's rotation policy.

In our attempt to ''right the system,'' CBP should not unduly disrupt the lives of these dedicated individuals, who provide a valuable service to this country.

CELEBRATING METRO GOLD LINE CONSTRUCTION AUTHORITY'S 10 YEARS OF SERVICE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SCHIFF. Madam Speaker, I rise today to congratulate the Metro Gold Line Foothill Extension Construction Authority as it celebrates ten years of service and commitment to the community. Since the Construction Authority was established by the California State Legislature to design and construct the Pasadena Metro Gold Line, it has completed 13.7 miles of light rail, which averages 24,000 daily weekday boardings.

One decade ago, the Los Angeles County Metropolitan Transportation Authority, faced with serious budgetary problems, delayed the construction of the light-rail line to Pasadena. Senate Bill 1847 was introduced to create the Construction Authority and finish the work that had already been started on the new rail line. The newly created Construction Authority was not only able to complete the project on time but was also able to build it under budget.

Today, the Metro Gold Line Foothill Extension Construction Authority is continuing its work in connecting downtown Los Angeles to the San Gabriel Valley and beyond. Funding has been secured to extend the line to the city of Azusa and plans are in place to continue the Gold Line to Montclair and Ontario International Airport. The success of the Gold Line is a testament of the collaborate efforts between the staff of the Construction Authority and the elected officials, civic leaders, and residents of the surrounding communities.

The Gold Line not only provides a reliable and efficient source of transportation to residents of the greater Los Angeles region, it also alleviates traffic and is a part of our fight to reduce pollution. The congestion on the Gold Line corridor highways has continued to increase as the Inland Empire grows in population. As we work to find solutions to solve our traffic congestion dilemma, extending the Gold Line into our eastern cities is clearly part of the answer.

It is with great pleasure that I congratulate the Metro Gold Line Foothill Extension Construction Authority on its ten years of success. I am proud of the role I have played in helping the Gold Line become the pride of the San Gabriel Valley and I wish it continued success!

THE BELLEVUE WOLVERINES

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. REICHERT. Madam Speaker, I rise today to applaud a phenomenal high school football program in my District—the 8th of Washington—for winning another State Championship—their seventh in nine years.

The Bellevue Wolverines have an illustrious history of football success in the State of Washington, and they continued the trend on Saturday, December 5, defeating the Liberty Patriots, 23–17, to secure another 3A title. Head Coach Butch Goncharoff and his assistants provide some of the best coaching and vision in the country and the program—well known for their great on-the-field success—often makes positive impacts in the community as well.

I congratulate every member of the roster for their continued and storied success on the field. I thank coach Goncharoff, his assistants, Athletic Director Brian Hercules and Principal David Wellington for creating an environment that allows student-athletes to thrive on the field, in the classroom and in their community. Once again, congratulations and I wish the Wolverines all possible success in the future.

A PROCLAMATION HONORING LISA ABELE FOR HER CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SPACE. Madam Speaker,

Whereas, Lisa Abele has been granted certification by the National Board for Professional Teaching Standards; and

Whereas, Lisa Abele has sufficiently demonstrated adherence and dedication to the five core propositions of teaching set by the National Board for Professional Teaching Standards; and

Whereas, due to her hard work and dedication to her profession, Lisa Abele was able to achieve this esteemed honor; and

Whereas, we recognize the values and lessons teachers impart to our children; and

Whereas, the creative ingenuity that Lisa Abele has demonstrated while educating her students; now, therefore, be it

Resolved, that along with Ohio's 18th Congressional District, I congratulate Lisa Abele for her certification by the National Board for Professional Teaching Standards.

EARMARK DECLARATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 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. 3326—Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3326

Account: PA,A

Legal Name of Requesting Entity: Blue Grass Army Depot

Address of Requesting Entity: 431 Battle Field Memorial Road, Richmond, KY 40475

Description of Request: The funding of $3.92 million will be used for the Blue Grass Army Depot Superficial Water Oxidation-Conventional Demilitarization. These funds will provide the Army with a state-of-the-art environmentally friendly means of processing the problematic energetic wastes generated at the Blue Grass Army Depot.

HONORING THE LIFE OF FORMER CALIFORNIA ASSEMBLYMAN NAO TAKASUGI

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HONDA. Madam Speaker, today I honor the life and achievements of my dear friend, former California State Assemblymember Nao Takasugi. Nao dedicated his life to public service with humility, integrity, and commitment to the American ideals of equality and justice.

Nao was a 19-year-old student at the University of California, Los Angeles, when he and his family were incarcerated in an internment camp for Japanese Americans during World War II.

His family was forced to sell most of their possessions, but was able to keep the family store, the Asahi Market in downtown Oxnard, which they had owned since 1907.

The Takasugi family was able to save the store during their imprisonment by entrusting the family business to a Mexican American employee, Ignacio Carmona. When the Takasugi family returned to Oxnard in 1945, Mr. Carmona returned the business back to the Takasugis, after faithfully carrying on the business for three years.

In 1943, Nao was among approximately 4,000 Japanese American college students who were released from the internment camps and allowed to attend college on the East Coast. Nao earned his business administration degree at Temple University in Philadelphia and a master's in business administration from the Wharton School at the University of Pennsylvania in 1946. When he returned to Oxnard, he ran his family's Asahi Market.

His family's imprisonment inspired him to commit his life to strengthening our democracy in public service, and did not cause deep embitterment. As Oxnard City Councilman, Mayor, and then California State Assemblyman, he ably represented all of his diverse constituents, crossing racial and ethnic divides, and building bridges across party lines.

At the age of 87, Nao died of complications from a stroke on November 19, 2009. He is survived by his wife of 57 years, Judy, and their five children, Scott, Russell, Ron, Tricia and Lea.

I was truly saddened by the loss of my dear friend Nao Takasugi. He was a gentle soul, and never let his kind demeanor get in the way of his strong beliefs about justice and civil rights. When he spoke, people listened as he was always true to his convictions and sense of honor. I will miss him dearly and will always reflect on his life as a metric of how I should conduct my own.

''THIS CHRISTMAS,'' IN HONOR OF ALL OUR ARMED FORCES AND THEIR FAMILIES THIS CHRISTMAS SEASON

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MEEK of Florida. Madam Speaker, I rise today with a poetic tribute in honor of our

Magnificent Armed Forces and their Splendid Families this Christmas and holiday season. And for all of the ones who are so separated by the miles, so very far across the shores. Our hearts, especially go out to all of those families who have lost their greatest loves of all, in the defense of our nation. And to all of those recovering from the grave wounds of war we pray for their speedy recovery. Bless them all! I ask that this poem penned by Albert Caswell be placed in the RECORD in honor of them as follows:

THIS CHRISTMAS . . .

As the snow falls to the ground. . . .
And all of our children dance, with songs of joy so all around . . .
With stockings hung by the chimneys with care. . . .
With all of those hopes and dreams, of Santa there . . .
With Christmas dinners and fires all aglow, as before this family a feast lies so . . .
A child is born, for all to know!
But, remember . . . remember . . . remember all of those . . .
Those families! Those Patriots of Peace, all them, all of these . . .
The ones, who this Christmas will not together be . . .
Who upon battlefields of honor fight!
So far away from our Country Tis of Thee, this night . . .
Men and Women of such honor bright, who for all of us . . . so carry that fight . . .
Who live with such heartache and death, as on each new day their honor blesses . . .
As they bless us all, with all their gifts of selflessness . . .
And all of those ones, whose greatest of all loves . . . now so lie in soft quiet graves . . .
Precious Daughters and Sons, Husbands and Wives . . .
Fathers and Mothers, Sisters and Brothers who so gave . . .
Who so gave That Last Full Measure . . . did they!
Whose loved ones pain, can not be healed by time, nor so divided . . .
Who on this Christmas morning, sit with tears in eyes . . .
With one less place set at the dinner table this year . . . as they cry . . .
And all of those who have come home, without arms and legs . . .
Blessing us with their fine gifts of courage displayed!
Making us all so see, just how magnificent and inspiring a heart can be!
And all of those with loved ones, who are so far across the shores . . .
As each new day but brings such great worry . . . sure . . .
But, waiting . . . but waiting for, that knock on the door . . .
That phone call, that they now not so pray for . . .
Quiet Heroes, one and all!
Watching them from Heaven, The Angel's tear drops fall . . .
Lord God, Lord God . . . Bless Them . . . Bless Them All!
For So Many, So Few Have But Paid The Cost!
So bore the burden, so carry that cross! That cross of war!
This Christmas, as you hold your families tight . . .
And seem so fine, and so very right . . .
And you see those smiles, of your children very bright . . .
Give thanks, Give praise . . . as upon your knees fall and pray . . .
For all of those families, who've sacrificed . . . and blessings of freedom they gave!
This Christmas . . .

TRIBUTE TO JANICE AND BENJAMIN REZNIK

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. BERMAN. Madam Speaker, I rise today to congratulate my good friends Janice and Benjamin Reznik on the occasion of their Parnas Award honor from the Masorti Foundation for Conservative Judaism in Israel 14th Annual Los Angeles Celebration.

Before becoming the Founding President of Jewish World Watch, Janice Kamenir-Reznik led an active career in the field of law. A graduate of UCLA law school, Janice spent years building a distinguished career in the legal field and then, recognizing her passion for community service work, turned to that avocation. Under her able leadership, Jewish World Watch—founded jointly with Rabbi Harold Schulweis—has become one of the leading advocacy groups in the fight against the genocide in Darfur and other global human rights abuses.

Janice served as the director of the Commission on Soviet Jewry for the Los Angeles Jewish Federation, and during her years in practice was President of California Women Lawyers, the statewide women's bar. She was a founder and president of California Women's Law Center, a public interest organization advocating for the rights of women and girls. She has testified before the House Judiciary Committee.

In addition to the numerous legal positions held by Janice over the years, she also served in many Jewish community leadership roles. I commend her for her invaluable contributions in serving on the following boards: Los Angeles Hebrew High School, Valley Beth Shalom, Los Angeles Hillel Council, UCLA Hillel, and the Jewish Federation Council.

Ben Reznik boasts a stellar professional and philanthropic record. Widely respected for his tenacious legal acumen, Ben has been described as "the most litigious attorney in Los Angeles" by his peers. He has been a key leader and activist in the community, devoting himself to a wide variety of organizations and causes. Currently, he is chairman of the Government, Land Use, Environment and Energy Department at the law firm of Jeffer Magels Butler & Marmaro LLP, JMBM, and leads 25 lawyers who comprise that department. Ben has also argued before the Supreme Court and has represented many prominent companies including the Mitsubishi Corporation and The Clarett Group.

Ben and Janice have three children, Yoni, Devi and Sami. They live in Encino where, through years of community activism and professional success, they have helped numerous people and are shining examples of what the Jewish tradition calls tikkun olam.

Madam Speaker and distinguished colleagues, I ask you to join me in congratulating Janice and Ben Reznik for their impressive career and dedication to the community and to congratulate them on receiving this honor.

PAYING TRIBUTE TO THE HEALTHCARE WORKERS UNION 1199 SEIU AS THEY MARK THEIR 50TH ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. RANGEL. Madam Speaker, this year marks the 50th Anniversary of 1199 SEIU as a healthcare workers union. For the union, the last 50 years have been challenging ones. Through its efforts, much has changed for the better, and they have been a large part of that change. In the words of founder and former president Leon Davis, it is a history of "tough struggles and pioneering advances, decent wages, and working conditions instead of poverty, respect on the job instead of contempt, security instead of fear, and hope instead of despair."

The 1199 changed history in 1959 when a drugstore union made up of pharmacists joined the Civil Rights Movement and set out to organize 30,000 predominantly Black and Latino workers in New York City's voluntary hospitals. The union succeeded in signing their first collective bargaining agreement with Montefiore Medical Center that year. Today, the union is 350,000 healthcare workers strong, in hospitals, nursing homes, and homecare agencies throughout New York, New Jersey, Massachusetts, Maryland, and Washington, DC. And they continue to grow despite these difficult times.

Aside from raising labor standards and restoring dignity to their members, 1199 has been a leading force for social and economic justice for all. It is why Dr. Martin Luther King, Jr., called 1199 his "favorite union." And it is why they were the only labor union Malcolm X chose to speak before. The union was once the headquarters for Cesar Chavez's national grape and lettuce boycotts, as well as the headquarters for Nelson Mandela's visit to New York when he was released from prison. In all its years of activism in electoral politics, the union's greatest crowning achievement was in 2008, when it dispatched thousands of members—many of them for several months—to help elect Barack Obama as our nation's first African-American president.

For all its achievements over the many years of service, including being champions of worker rights, I applaud 1199 on its 50th anniversary and have pledged to its president, George Gresham, that the union can continue to count on my strong support in the many years ahead.

So Madam Speaker, I ask that you and my distinguished colleagues join me in celebrating the 50th anniversary of 1199 United Healthcare Workers East of the Service Employees International Union. As 1199 looks back at its historic accomplishments over the last 50 years, let's join it in looking forward to the next 50 years, meeting the challenges that lie ahead with the same spirit, determination, and strength that has shaped who it continues to be today.

A PROCLAMATION HONORING CYNTHIA RUCKER FOR HER CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SPACE. Madam Speaker,

Whereas, Cynthia Rucker has been granted certification by the National Board for Professional Teaching Standards; and

Whereas, Cynthia Rucker has sufficiently demonstrated adherence and dedication to the five core propositions of teaching set by the National Board for Professional Teaching Standards; and

Whereas, due to her hard work and dedication to her profession, Cynthia Rucker was able to achieve this esteemed honor; and

Whereas, we recognize the values and lessons teachers impart to our children; and

Whereas, the creative ingenuity that Cynthia Rucker has demonstrated while educating her students; now, therefore, be it

Resolved, that along with Ohio's 18th Congressional District, I congratulate Cynthia Rucker for her certification by the National Board for Professional Teaching Standards.

IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2009

Mr. WAXMAN. Madam Speaker, each week brings more disturbing evidence of Iran's nuclear advances, its defiance of UN Security Council demands and its refusal to comply with the requirements of the International Atomic Energy Agency.

The latest news, since the revelation earlier this year of an undisclosed nuclear enrichment site in Qom, is Iran's work on technology to set off a nuclear bomb. The regime is already believed to have enough low-enriched uranium available to, with further enrichment create at least one nuclear bomb. Together with its ongoing work on ballistic missiles to deliver a nuclear warhead, Iran could have a nuclear weapon within months.

In an attempt to stop the Iranian program from moving ahead, President Obama has made a concerted effort to engage Iran in direct talks. Together with the permanent members of the UN Security Council and Germany, the United States has offered a clear path for Iran to end its status as a pariah state.

So far, Iran remains intransigent. If international concern over the Iranian nuclear program is to be resolved diplomatically, we must increase pressure on Iran to come to the table. The bill before us does exactly that by establishing stringent sanctions to limit Iran's ability to import refined petroleum. It also provides waiver authority that preserves the Obama Administration's flexibility as it moves forward in its diplomatic efforts.

Iran imports up to 40 percent of its refined petroleum supplies to power cars, planes, factories and other key economic infrastructure. With a disruption in supply, the Iranian government will be forced to grapple with the serious cost of its reckless choices. I regret that the Iranian people, already victims of a tyrannical government, could also face economic repercussions as the result of these sanctions. But I believe it is imperative to do everything possible to bring about a successful diplomatic resolution of this crisis and avert the need for military action.

The danger of a nuclear-armed Iran is only underscored by President Ahmadinejad's unstable regime, its belligerence toward the United States, its calls for the destruction of Israel, its robust support for terror groups like Hamas and Hezbollah and its blatant disregard for its own citizens.

I urge my colleagues to vote yes and take serious action to pressure Iran to change course.

IN MEMORY OF DAVID STONE

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. HARMAN. Madam Speaker, the post-9/11 world has posed many challenges—especially to the old way of doing business. Someone who stepped up and used his military training and experience to transform airport security was David Stone. David died unexpectedly earlier last month, at age 57, and I rise to commemorate my friend and his exceptional career.

Admiral Stone was selected as the first federal security director at LAX—the top terror target on the West Coast—shortly after 9/11. He proved more than equal to the task. Working under immense pressure and close public scrutiny, Stone established strict new federal airport security standards, secured nearly $1 billion in federal funding for security upgrades and positioned LAX to become a test site for new security technologies that are now used around the world.

The Bush administration noticed and Stone was asked to apply his talents at the national level. As the Nation's third TSA administrator, he was charged with overseeing security at not just one airport—but all of them, in addition to ports, railroads, and pipelines. In just 2 years, he shaped the role of the TSA for years to come.

When Stone left the TSA it marked a culmination of more than three decades of national service. He was a decorated soldier, a graduate of the U.S. Naval Academy who rose to rank of Rear Admiral. During his 28-year military career he commanded warships, vessel fleets, NATO naval forces, and an aircraft carrier battle group. For his valor he received three Legions of Merit, five Meritorious Service medals, and three Navy Commendation medals.

A lovely memory is how David spoke to high school seniors in my district who were applying to the military academies. He was so excited about them—and recalled his own journey decades earlier. David Stone also shared this excitement and talent with a grateful nation. He is fondly remembered.

RESPONDING TO THE GOVERNMENT OF AUSTRALIA'S APOLOGY FOR THE MISTREATMENT OF CHILD MIGRANTS AND CHILDREN IN INSTITUTIONAL CARE UNDER STATE SUPERVISION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to recognize the apology offered by the Government of Australia for the mistreatment of child migrants and children in institutional care under state supervision.

In an effort to populate its empire, the British Government assisted private organizations with settling people in many of its overseas dominions. Between 1922 and 1967 over 7,000 children were sent to Australia and placed in the care of residential institutions. Many of these children were separated from their families and never told the truth about their loved ones. They became part of the half a million Australian children who were placed in institutional or foster care during this period who would later be called the "Forgotten Australians". As wards of the state, the Forgotten Australians suffered from appalling physical, emotional and sexual abuse. They were subjected to harsh, often brutal discipline and labor programs, and referred to by number instead of by name.

For years, their story has been lost—unheard and unacknowledged by the wider community. The aftermath of this government-condoned suffering left deep emotional and psychological scars on countless individuals and their families, and many resorted to crime, drug and alcohol abuse and suicide.

On November 16, 2009, Prime Minister Kevin Rudd formally apologized to the Forgotten Australians on behalf of the Australian government and the Parliament of Australia and took an important step in national healing. This apology was accompanied by a commitment to properly record and share the experiences of the Forgotten Australians with future generations and support victims as they attempt to discover their familial backgrounds and reunite with loved ones.

This statement came nearly 2 years after another historic apology that Prime Minister Rudd gave on behalf of the Australian Government to the Indigenous people of Australia and the Stolen Generation. The willingness of the Australian government to address past wrongs and present inequalities shows its dedication to national healing, growth and reconciliation.

Madam Speaker, I commend the Australian Government for acknowledging its past transgressions and for its commitment to the sacred duty of protecting its children, families and communities in the years to come.

EARMARK DECLARATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SIMPSON. Madam Speaker, in accordance with the policies and standards put forth

by the House Appropriations Committee and the GOP leadership, I would like to list the congressionally-directed projects I have requested in my home State of Idaho that are contained in the Conference Report accompanying H.R. 3326, the FY2010 House Defense Appropriations Bill.

Project Name: 3–D Technology for Advanced Sensor Systems

Amount Received: $2,000,000

Account: Electronics Technology Account in the Department of Defense RDT&E

Recipient: Boise State University

Recipient's Street Address: 1910 University Drive, Boise, Idaho 83725

Description: The 3–D packaging approach offers the promise of a dramatic decrease in the system weight and volume, together with increased system performance. This project will provide funding to continue to develop 3–D processing techniques on silicon and LTCC platforms. These include technologies for die- and wafer-scale bonding and 3–D interconnects. These techniques will be applied to create 3–D integration and packaging solutions applicable to a general category of high performance sensor systems. The military has a need for new three-dimensional (3–D) packaging of electronic systems, particularly sensor systems for portable (i.e., on-soldier) applications. 3–D integration and packaging of sensors will result in smaller electronics with expanded capability, allowing the soldier in the field to be more effective.

Project Name: Accelerator-Driven Non-Destructive Testing

Amount Received: $2,000,000

Account: Support Systems Development Account in the Air Force RDT&E

Recipient: Idaho State University

Recipient's Street Address: 921 South 8th Avenue, Stop 8007, Pocatello, Idaho 83209

Description: The Idaho Accelerator Center (IAC) will develop a research, education and commercialization program that takes non-destructive testing techniques developed at the IAC and advances their development. The penetrating and non-destructive techniques that are under development include new techniques in positron annihilation spectroscopy with accelerator-based gammabeams, the use of mono-chromatic x-ray beams and the use of photon activation (via photonuclear reactions) for trace element analysis of materials and manufacturing processes. The development of practical non-destructive testing (NDT) techniques will help the U.S. Air Force reduce aircraft downtime necessary for inspection and enhance turn-around times by more quickly identifying needed repairs through spectroscopy and the use of x-ray. The development of practical NDT techniques will be of immense value to the armed forces in four critical areas: quicker return of aircraft to the line by reducing the tear-downs necessary for inspection; non-destructively addressing the enormous 'aging fleet' problem of the U.S.A.F. and the private sector; better economics by replacing parts on an on condition inspections basis instead of a 'life limited' basis; and the ability to successfully apply NDT techniques to composite materials. Currently, no commercialized NDT technique works on composite materials.

Project Name: Domestic Manufacturing of 45nm Electronics (DOME)

Amount Received: $3,200,000

Account: Advanced Spacecraft Technology Account in the Air Force RDT&E

Recipient: American Semiconductor, Inc

Recipient's Street Address: 3100 South Vista Avenue, Suite 230, Boise, Idaho 83705

Description: Funding for this program will deploy a new foundry capability to address the most critical electronics sourcing issue faced for secure supply of advanced DoD integrated circuits in 2012 and beyond. DOME is an AFRL-sponsored initiative to implement a 45nm state-of-the-art wafer fabrication capability to meet current and future system requirements for fabrication of specialized integrated circuits in a broadly available foundry capacity to serve DOD. Microelectronics capability for defense applications requires advancement of technology for each generation of new defense system. Defense system requirements are often highly specialized and include capability beyond that of standard commercial devices due to their unique operational environments. An advanced and sustainable defense microelectronics supply solution is required that can provide parts in low volume at reasonable costs and be fabricated on-shore to meet security requirements. This advanced process technology enables higher speed, lower power electronics that are of vital importance to the military and intelligence communities. The DOME program will deliver the capability to manufacture semiconductors at the most advanced technology node currently in production, 45nm, at an American run on-shore facility optimized for DoD/IC business.

Project Name: Hybrid Energy Systems Design and Testing

Amount Received: $2,000,000

Account: Military Engineering Advanced Technology Account in the Army RDT&F

Recipient: Idaho National Laboratory

Recipient's Street Address: 2525 Fremont Avenue, Idaho Falls, Idaho 83415

Description: The Hybrid Energy Systems Development and Testing Program will provide the Army transformational technologies that advance Army leadership in global energy security and carbon reduction. Hybrid energy concepts provided through this program could allow the Army to simultaneously address energy supply (electrical grid and fuel supply) security and surety, environmental (CO2) footprint reduction, and provide national economic benefits. This project will leverage unique assets at the INL, such as its Hybrid Testing Lab, engineering-scale energy test beds, supercomputing capabilities, and hybrid systems design teams, and nuclear technology designs, to develop, validate, and assess hybrid and other advanced energy system concepts. This program will provide a foundation for Army leadership in clean, smart, secure energy for future defense and non-defense applications.

Project Name: Integrated Passive Electronic Components

Amount Received: $1,360,000

Account: Advanced Spacecraft Technology in the Air Force RDT&E

Recipient: University of Idaho

Recipient's Street Address: 820 Idaho Ave., Morrill Hall 109, Moscow, ID 83844

Description: Spacecraft are critical for coordinating modern military operations, particularly for intelligence gathering, battle-space communications, resource deployment (e.g. Global Positioning System), and targeting. More accurate and timely information enables more effective deployment, but requires enhanced sensing, communications and computing, which require more power. Limited energy sources and cooling capacity aboard spacecraft restrict increased processing capability. Power consumption has become a limiting factor in the performance electronic and computing technologies. Microchip designers have addressed rising power consumption by reducing the voltage levels of the power delivered to the chips, with excellent results. However, this creates a new problem of how to deliver clean low-voltage power to the chips. This research will develop the technologies to enable low-voltage power regulation to be integrated onto the same piece of silicon that holds the computing circuits, thus making ultra-low-power microelectronics practical. The key to this technology is integrated passive components. In addition, this research will produce a new range of component options for analog circuit designers, enabling greater ability to program and increasing flexibility of on-board electronic systems.

Project Name: Material, Design, Fabrication Solutions for Advanced SEAL Delivery System external structural components

Amount Received: $2,000,000

Account: Operations Advanced Seal Delivery System (ASDS) Development in the Department of Defense Research, Development, Test and Evaluation (RDT&E)

Recipient: Premier Technology Inc.

Recipient's Street Address: 1858 West Bridge Street, Blackfoot, Idaho 83221.

Description: Premier Technology Inc. will work with the Idaho National Lab, Navy PEO Submarine (PMS 399), U.S. Special Operations Command, Naval Special Warfare Command and the Navy Office of Naval Research to provide material, design and fabrication solutions for ASDS external structural components allowing those components to withstand severe hydrodynamic, hydrostatic and shock loading while maintaining significant resistance to corrosion in situations where the ASDS is attached to the submerged host submarine operating at high speeds. Candidate components include the host submarine pylon assembly, ASDS lower hatch (buttress threads) and ASDS shaft line components. The goal of this project is to assist the U.S. Navy in bringing ASDS to its fullest operational capability by addressing challenges that it faces in key material issues.

Project Name: Radiation Hardened Cryogenic Read Out Integrated Circuits

Amount Received: $1,600,000

Account: Defense Production Act Purchases in Department of Defense Procurement

Recipient: ON Semiconductor, Inc.

Recipient's Street Address: 2300 Buckskin Road, Pocatello, Idaho 83201

Description: Readout integrated circuits (ROIC) are the foundation of thermal imaging systems. These systems have forever changed modern warfare and surveillance. The United States Air Force and the Missile Defense Agency have been investigating ways to improve manufacturing capabilities and improve cryogenic and radiation performance of these circuits. The thermal imagers of the future will operate in harsh environmental conditions for longer periods of time and will have increased resolution (through increased pixel count) than the detectors of today. Maintaining a domestic source of this technology, as well as working to enhance the manufacturing capabilities of this critical technology, are as equally important as increasing the yield. The

DPA Tide III Readout Integrated Circuit (ROIC) program will continue the improvement efforts to develop technology that includes a larger stitched die, smaller feature size (< 0.35um), improved yields, and reduced cycle times will enable a domestic U.S. source for ROIC manufacturing to meet our national defense needs.

I appreciate the opportunity to provide a list of congressionally-directed projects in the Conference Report accompanying the FY2010 Defense Appropriations bill on behalf of Idaho and provide an explanation of my support for them.

IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009

SPEECH OF

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2009

Mr. GENE GREEN of Texas. Madam Speaker, I rise today in strong support of H.R. 2194, the Iran Refined Petroleum Sanctions Act of 2009.

Since the U.S. first placed sanctions on commercial relations with Iran in 1996, the Iranian government has not only failed to comply with its international obligations, but has further intensified its efforts to develop nuclear weapons. Most recently, Iran has rejected demands from the International Atomic Energy Agency to halt construction of a previously undisclosed uranium enrichment facility near Qom. It has also announced plans to build ten additional enrichment facilities.

While I fully support the President's efforts to engage the Iranian government diplomatically, Congress must show Iran that failure to reach an agreement will not be without consequence. H.R. 2194 facilitates this goal by weakening Iran's energy sector, which the Iranian government relies on for 80 percent of its revenue. This legislation specifically targets Iran's petroleum refining industry due to its heavy reliance on foreign assistance and trade. The choice for Iran will be either to meet the demands of the international community or risk diplomatic and economic isolation.

The risk of nuclear weapons proliferation and its accompanied threat to regional stability in the Middle East lends increased urgency to passing this legislation. I urge my colleagues to support House Resolution 2194 and supply the President with the tools he needs for reaching a diplomatic solution with Iran.

A PROCLAMATION HONORING ERICA RHEA FOR HER CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SPACE. Madam Speaker,

Whereas, Erica Rhea has been granted certification by the National Board for Professional Teaching Standards; and

Whereas, Erica Rhea has sufficiently demonstrated adherence and dedication to the five core propositions of teaching set by the National Board for Professional Teaching Standards; and

Whereas, due to her hard work and dedication to her profession, Erica Rhea was able to achieve this esteemed honor; and

Whereas, we recognize the values and lessons teachers impart to our children; and

Whereas, the creative ingenuity that Erica Rhea has demonstrated while educating her students; now, therefore, be it

Resolved, that along with Ohio's 18th Congressional District, I congratulate Erica Rhea for her certification by the National Board for Professional Teaching Standards.

EARMARK DECLARATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 3326, the Fiscal Year 2010 Department of Defense Appropriations Bill.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, A

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $2,400,000 to research materials that will lead to advances in the storage and generation of power. To maintain a strong national defense, our Nation must develop new devices from innovative polymer-based materials that have lower-power requirements, greater strength, lighter weight, higher sensitivity, and robustness to operate under extreme conditions. The research will provide materials that will lead to important advances in the generation and storage of power. The power generation systems would have advantages for military use over current systems in terms of weight, flexibility, and functionality.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, A

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $2,400,000 to complete a project to develop high performance alloy materials and advanced manufacturing of steel castings for new lightweight and robotic weapon systems. This program would enhance defense component capabilities at a reduced cost. The program would also augment war fighter capability by increasing the mobility and reliability of weapons systems.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, A

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $4,800,000 to develop new, low-cost, sensors and an integrating network methodology for geospatial localization and tracking of explosive related threats and precursor materials using spatially distributed, multimodal sensors. This effort is consistent with the U.S. Army goals of assured mobility and force protection.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, AF

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $2,400,000 to develop fiber reinforced ultra-high temperature materials for hypersonic flight vehicles. Ultra-high temperature materials are imperative for the leading and trailing edges, and control surfaces, of future hypersonic vehicles. The proposed project would greatly advance the material selection and design capability for military systems projected to operate in the extreme environments associated with hypersonic flight. Success of this project would enable the United States to uphold its position of world leadership in these critical technology areas.

HONORING WILLIAM H. BEARDSLE

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MICHAUD. Madam Speaker, I rise today to recognize the accomplishments of William H. Beardsley.

William Beardsley served for the past 22 years as president of Husson University in Bangor, Maine. When Mr. Beardsley took over, the University was threatened by eminent bankruptcy, but because of William's strong leadership, the University today is financially solid and continues to educate the future leaders of Maine and the United States.

Under his guidance, enrollment at Husson tripled, the campus doubled in size and degree offerings multiplied, including the establishment of a new law school. Mr. Beardsley's strong, pragmatic leadership has created a thriving academic center with a promising future indeed.

Prior to his service at Husson University, Mr. Beardsley worked with the University of Vermont, Green Mountain Power Corp., Bangor Hydro Electric Co., Alaska Pacific University, the state of Alaska and Bar Harbor Banking & Trust Co. Humble, down to earth, engaging, eloquent and a visionary entrepreneur, Mr. Beardsley is a husband and father of three with a doctorate from Johns Hopkins University.

As the faculty and staff of Husson University prepare to continue educating its students without Mr. Beardsley, they are left in charge of an academic institution dedicated to providing quality private education with tuition costs comparable to many public universities. The low tuition and high level of financial aid at Husson University is one of Mr. Beardsley's most important legacies.

Madam Speaker, please join me in honoring William H. Beardsley for his life of dedication and service to his community and the education of Maine's students.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 3326, the ''Department of Defense Appropriations Act, FY2010.''

Requesting Member: Congressman JOHN DUNCAN

Account: RDTE—Air Force

Project Amount: $1,600,000

Legal Name of Requesting Entity: University of Tennessee, 328 Ferris Hall, 1508 Middle Drive, Knoxville, Tennessee 37996

Description of Request: The funding will be used for design, testing, and evaluation of systems needed for the harvesting and storage of green energy. The need for the nation to design, implement, and test systems and processes capable of producing renewable energy at a large scale is vital for the U.S. military and the Nation as a whole.

A PROCLAMATION HONORING KELLY LAW FOR HER CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SPACE. Madam Speaker,

Whereas, Kelly Law has been granted certification by the National Board for Professional Teaching Standards; and

Whereas, Kelly Law has sufficiently demonstrated adherence and dedication to the five core propositions of teaching set by the National Board for Professional Teaching Standards; and

Whereas, due to her hard work and dedication to her profession, Kelly Law was able to achieve this esteemed honor; and

Whereas, we recognize the values and lessons teachers impart to our children; and

Whereas, the creative ingenuity that Kelly Law has demonstrated while educating her students; now, therefore, be it

Resolved, that along with Ohio's 18th Congressional District, I congratulate Kelly Law for her certification by the National Board for Professional Teaching Standards.

EXPRESSING CONDOLENCES AND CELEBRATING THE LIFE OF HENRY S. MILLER, JR.

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in honor of Henry S. Miller, Jr. who passed away on Saturday, December 5, 2009.

Mr. Miller was an icon in the Dallas community who created a real estate empire with over 1,300 employees and 41 offices. After joining the business his father founded, Miller steered Henry S. Miller Co. to success by pioneering the concept of specialization of services. Essentially, Miller championed the idea of creating specialists in commercial real estate fields like industrial, retail, and multifamily. By doing this, he created a real estate culture that encouraged employees to be incredibly knowledgeable in specific areas, allowing the company to move forward quickly and effectively in those fields.

Throughout his career and life, Mr. Miller was regarded as an honest and humble man, and maintained these traits in an industry where it is easy to devolve into something much different. Known throughout the community as a businessman of integrity and knowledge, he was a pioneer in the Dallas real estate industry and helped to develop it into the powerhouse that it is today.

Madam Speaker, I ask my fellow colleagues to join me in honoring this great man who truly was ahead of his time.

RECOGNIZING THE MANY YEARS OF SERVICE OF JIM PITCOCK

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. BOOZMAN. Madam Speaker, I rise today to pay tribute to a fine Arkansan who, on December 11, 2009, ended a 51-year career in television, radio and politics.

Jim Pitcock's career in Arkansas radio, television and politics began in his hometown of Fort Smith in 1958 as a part-time camera operator at KFSA television. He would attend junior college during the day, then work at the television station during the evening newscasts.

A short time later he was offered a job at KCCL Radio in Paris, Arkansas where he received his first chance to do ''on-air'' work as a disc jockey. He traded in school for the job and spent the next two years driving back and forth to Paris while continuing his work at the television station in the evening.

In 1960, Jim began work as a full-time disc jockey at KFSA Radio in Fort Smith.

In 1963, KAAY, the ''Mighty 1090'' in Little Rock offered Pitcock a job in the Capitol City where he assumed the identity of ''Ron Owens—The Midnight Satellite.''

Almost a year to the day later, Jim Pitcock was hired by KATV Television where he began a 32-year career as the station's News Director. At one point, Pitcock served as the longest-tenured news director in the country. He traveled from Moscow to Vietnam bringing Arkansans news in international significance with a local perspective. Pitcock also oversaw the station's coverage of then-Governor Bill Clinton's rise to the White House in 1991 earning the station a Regional Emmy Award from the National Academy of Television Arts and Sciences.

During his tenure Pitcock won numerous Associated Press Broadcaster's Association awards and led the station's news department atop the ratings for more than a decade.

Jim Pitcock has been honored with a number of other awards for his work as an Arkansas broadcast journalism pioneer including; The Arkansas Society of Professional Journalist's ''Silver Microphone'' Award for lifetime achievement and the University of Arkansas Department of Journalism's ''Ernie Deane Award'' for his contribution to broadcast journalism in the state.

Pitcock also served for a time as Congressman Bill Alexander's Field Director in Arkansas, worked with former Arkansas Attorney General MARK PRYOR and finished his career as an aide to United States Senator MARK PRYOR.

One of seven siblings, Jim Pitcock and all three of his brothers worked in the broadcast journalism field during their careers. Oldest brother Bill Pitcock (deceased) served as evening news anchor for KOTV News in Oklahoma City, Bob Gregory Pitcock worked as a correspondent for CBS News Washington and youngest brother Jerry Pitcock worked at KATV in Little Rock and the Arkansas Educational Television Network in Conway, Arkansas.

Jim has four grown children and six grandchildren.

A PROCLAMATION HONORING KIMBERLY BRUGGER FOR HER CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SPACE. Madam Speaker,

Whereas, Kimberly Brugger has been granted certification by the National Board for Professional Teaching Standards; and

Whereas, Kimberly Brugger has sufficiently demonstrated adherence and dedication to the five core propositions of teaching set by the National Board for Professional Teaching Standards; and

Whereas, due to her hard work and dedication to her profession, Kimberly Brugger was able to achieve this esteemed honor; and

Whereas, we recognize the values and lessons teachers impart to our children; and

Whereas, the creative ingenuity that Kimberly Brugger has demonstrated while educating her students; now, therefore, be it

Resolved, that along with Ohio's 18th Congressional district, I congratulate Kimberly Brugger for her certification by the National Board for Professional Teaching Standards.

EARMARK DECLARATION

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. ADERHOLT. 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. 3326—the Department of Defense Appropriations Act, 2010.

Request as named in the report: Electrically Charged Mesh Defense Net Troop Protection System

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Army

Legal Name of Requesting Entity: Victory Solutions, Inc.

Address of Requesting Entity: 4900 Corporate Drive, Suite A, Huntsville, AL 35805.

Description of Request: $7,500,000. The funding would be used for ''D–NET'' a Defense Net Troop Protection System designed to intercept and negate the serious insurgent and terrorist threat tactics employing Rocket Propelled Grenades (RPG), mortars, and small rocket munitions encountered by U.S. Combat Forces. This product could help save warfighters' lives in hostile territories such as Afghanistan and Iraq through an innovative and low-cost system of defending vehicles against enemy attacks by further testing and prototype development of a system which has passed all tests so far and gotten favorable government program manager review, and which was developed with input from troops in the field. The spending plan for this Phase II of the program, to total $7,500,000, is: Prototype Production and Field Test & Evaluation Program for integration and operational development. Further develop the D–Net technology based on Phase I R&D Tests to a Technology Readiness Level (TRL) worthy of deploying a limited quantity of ''Field Prototypes'' to Theatre for field and operations test and evaluation.

FY2010 Task A: D–Net ''Field Prototypes'' ($3.5M). Deliver to Army Logistics: 100 ''Field Prototypes'' of the D–Net Static Troop Protection System for Theatre Deployment on military asset vehicle for field testing (Procurement of Prototypes delivered to Military. Develop, Build, Assemble, Kit Packaging within military requirements like HAZMAT etc, Deliver and Ship to War Zone to fill purchase for Field Test Program) ($3.5M, or $35K/unit).

Task B: Field Test Program, data collection and refinement ($1.075M). Send science and engineering teams to Theatre for collection of field data from Field Prototypes deployed (Data collection material $125K, OCONUS Labor $425K), interact with operating community for feedback, return to lab and refine the technology for better performance and utility (Re-engineer labor $225K). Requires OCONUS travel ($300K).

Task C: Threat Characterization ($350K). Analyze and Perform trade Studies on Threat variants commonly engaged in Theatre scenarios. Engineering and analysis labor ($350K).

Task D: Net Optimization & Continued R&D ($1.3M); Range Test Net Materials ($250K); Government Provided Range Test Facilities & Government Provided Threats for Tests ($500K); Parametric Studies/ Validation Labor/ Salaries Engineering ($250K) and Manufacturing labor ($250K), Travel ($50K).

Task E: Continue Launcher Development ($870K). Ground and Aerial Launcher Design and Development R&D and Fabrication Material ($320K); Testing ($150K); Labor for Engineering, Integration and Manufacturing for Platform Depot Requirements ($400K).

Task F: Integration to Systems & Platforms ($405K). Design and Integration Trade Studies, COTS Sensor Integration Analysis and Labor ($250K); Material ($75K), Travel to Platform Project Offices ($80K).

Request as named in the report: Marine Corps MK 1077 Flatracks

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Army

Legal Name of Requesting Entity: SUMMA Technology, Inc.

Address of Requesting Entity: headquartered at 140 Sparkman Drive, Huntsville, AL 35805. The manufacturing facility is in Cullman, Alabama.

Description of Request: $3,000,000. The funding would be used for the MK1077 Flatrack. This is a revolutionary material handling system that provides the Marines with expedited logistical support while achieving significant manpower and equipment reductions. These racks and the containers they work with can be used to transport ammunition or other supplies in and out of areas quickly, thus greatly reducing the warfighter's exposure to danger. This is a continuation of a multi-year procurement program, and the recipient company has a proven record of meeting the strict, structural requirements for this item. The USMC has a requirement for 3,500 MK1077 Flatrack units of which 1,000 units have been acquired to date. $3,000,000 will provide approximately 347 additional units, bringing the inventory up to 1,347.

Request as named in the report: Waterside Wide Area Tactical Coverage and Homing

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Army

Legal Name of Requesting Entity: Miltec Corporation

Address of Requesting Entity: Miltec Corporation, located at 21232 Hwy 431, Guntersville, AL 35976

Description of Request: $4,000,000. The funding would be used for development and integration of systems for the final test and demonstration of the WaterWATCH affordable underwater monitoring capability. Most waterfront facilities are unprotected due to cost considerations. Finalization of this product would make available a security system which installations at military bases and other critical infrastructure locations (such as nuclear power plants near waterways) could afford. WaterWATCH integrates many currently available components through the development of new software and the testing of these systems. Approximately $60,000 would be needed for travel, approximately $150,000 for hardware, and the rest for labor (software development and testing).

Request as named in the report: Protective Self-Decontaminating Surfaces

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Wide

Legal Name of Requesting Entity: Ventana Research Corp. (VRC) & Kappler, Inc., and Kappler, Inc.

Address of Requesting Entity: VRC at 2702 South 4th Avenue, South Tucson, AZ 85713–4816; and Kappler at 115 Grimes Drive, Guntersville, AL 35976–9364

Description of Request: $2,000,000. The funding would be used for Prototype field validation tests of VRC-Kappler Chemical Biohazard Protective systems, lab tests of bacterial infections, diseases and contaminated human remains pouches (CHRPs); to field and live test nerve gas and radiological agents (in order to design the suit to withstand such an attack by a hostile nation). Present decontamination processes are labor intensive and require lengthy downtimes. Field-tested prototypes of this fabric demonstrate cost-effective Chemical Biohazard protection for military personnel and civilian populations. Applications could be military, for homeland security, or for dangerous medical and rescue operations. The spending plan is Personnel: $620,000; Materials: $80,000; Equipment: $120,000; travel: $25,000; Govt Agency partnerships: Oversight and testing work: DTRA/CBT: $90,000; AFRL/Tyndall AFB: $250,000; USA NSRDEC: $90,000; Preproduction, Live Agents Tests, $825,000

Request as named in the report: Scenario Generation for IAMD Evaluation (SGIE)

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: QinetiQ North America Systems Engineering Group

Address of Requesting Entity: AMSRD–AMR–BA Bldg. 6263, Redstone Arsenal, AL 35898

Description of Request: $4,200,000 for Scenario Generation for IAMD Evaluation (SGIE) in fiscal year 2010. The entity to receive funding for this project is QinetiQ North America Systems Engineering Group, located at 890 Explorer Boulevard, Huntsville, AL 35806. The funding would be used for 54 ground test cases identified in the IAMD TEMP and 7 flight test cases derived from ground test matrix. A scenario for each test case is required to capture the design specification as it is intended to perform in a battlefield situation. Taxpayer Justification: This program will contribute to the work of establishing an Integrated Air & Missile Defense System protect against air breathing missile and cruise missile threats. This work will provide a network centric system to integrate a mix of sensors and shooters through a common IAMD battle command system.

Request as named in the report: Enhanced—Rapid Tactical Integration for Fielding of Systems Initiative (E–RTIFS)

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: PeopleTec, Inc.

Address of Requesting Entity: 4901–D Corporate Drive, Huntsville, AL 35805

Description of Request: $3,900,000 for Enhanced Rapid Tactical Integration for Fielding of Systems (ERTIFS) in fiscal year 2010. The entity to receive funding for this project is PeopleTec, Doug Scalf, Linda Maynor, located at PeopleTec, Inc. 4901–D Corporate Drive, Huntsville, AL 35805. The funding would be used to support early SoS testing to ensure that interoperability issues are corrected before software is released for formal AIC testing. The ABCS–BA will leverage and evolve ERTIFS to support four types of required Interoperability Tests: (1) Individual System, (2) System of Systems (e.g. Software Blocking), (3) Backwards Compatibility—Interoperability and (4) Regression Testing. Taxpayer Justification: The early identification of these

issues will limit cost and schedule overruns on Aviation/Missile Systems prior to expensive hardware tests.

Request as named in the report: Swarms Defense Systems

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: Southeast Systems Technology

Address of Requesting Entity: 4090 South Memorial Parkway M/S 3427B, Huntsville, AL 35802

Description of Request: $3,000,000 funding for SWARMS DEFENSE SYSTEMS in fiscal year 2010. The entity to receive funding for this project is Computer Science Corporation, located at 4090 S. Memorial Parkway M/S 3427B, Huntsville, Alabama 35801. The funding would be used to close the gap between current and future Air Defense Systems dealing with enemy mortars, rockets, UAV's, and cruise missiles. Future threats exceed all requirements of current system and future AD plans. Taxpayer Justification: Swarms Defense is designed to protect soldiers and critical assets against enemy fire, especially high volume small munitions such as mortars, rockets, UAV's, cruise missiles, developing the critical technologies required to close the gap in current asset protection plans.

Request as named in the report: Tactical UAV, Heavy Fuel Engine

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: Science and Engineering Services

Address of Requesting Entity: 4015 Pulaski Pike, NW., Huntsville, AL 35810

Description of Request: $2,000,000 for the Tactical UAV, Heavy Fuel Engine in fiscal year 2010. The entity to receive funding for this project is Science and Engineering Services, Inc., located at 4015 Pulaski Pike, Huntsville, AL 35810. The funding would be used for development of lightweight military fuel engine for UAVs. Scope includes building engines to perform platform integration and flight test for use in a military environment. Funding supports design and implementation of the process to military standards. Taxpayer Justification: Shadow UAS is ideal for providing direct information to commanders increasing awareness. Heavy fuel technology allows an engine to burn any fuel, diesel, JP5, JP8, gasoline, producing low emission, can be economically manufactured, and maintained

Request as named in the report: Army Responsive Tactical Space System Exerciser (ARTSSE)

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: J2 Technologies Inc.

Address of Requesting Entity: 4801 University Square, Suite 31, Huntsville, AL 35816

Description of Request: $3,000,000 for Army Responsive Tactical Space System Exerciser (ARTSSE) in fiscal year 2010. The entity to receive funding for this project is J2 Technologies Inc., located at 4801 University Square, Suite 31, Huntsville, AL 35816–1815. The funding would be used to provide the hardware-in-the-loop test capability designed to address the need to define performance requirements, evaluate and execute Operationally Responsive Space programs thus ensuring the warfighter's continued access to space. Taxpayer Justification: Army Responsive Tactical Space System Exerciser (ARTSSE) provides technologies critical to maintaining access to space. ARTSSE supports an unfunded Army need to provide a responsive surge for space based communication, surveillance, and reconnaissance, especially when a change in circumstances brought about by foreign-owned assets requires a response from the U.S. systems within hours or a few days in order to maintain protection of U.S. personnel and assets.

Request as named in the report: Autonomous Cargo Acquisition for Rotorcraft Unmanned Aerial Vehicles

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: Advanced Optical Systems, Inc.

Address of Requesting Entity: 6767 Old Madison Pike, Suite 410, Huntsville, AL 35806

Description of Request: $1,600,000 for Autonomous Cargo Acquisition for Rotorcraft Unmanned Aerial Vehicles in fiscal year 2010. The entity to receive funding for this project is Advanced Optical Systems, Inc., located at 6767 Old Madison Pike, Suite 410, Huntsville, Alabama 35805. The funding would be used to demonstrate fully unmanned cargo pickup and delivery under operational conditions. The work will leverage current developments for manned systems, and will cooperate with TRADOC and logistics personnel at Ft. Rucker and Ft. Lee. Taxpayer Justification: The Army needs to leverage rotorcraft unmanned aerial systems to provide unmanned pickup and delivery for logistics supply and weapons placement. Unmanned cargo operations would reduce both aircrew losses and costs.

Request as named in the report: On-Board Vehicle Power (OBVP)

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: DRS Training and Energy Management

Address of Requesting Entity: 110 Wynn Drive, Huntsville, AL 35805

Description of Request: $3,100,000 for On-Board Vehicle Power (OBVP) in fiscal year 2010. The entity to receive funding for this project is DRS Training and Energy Management, located at 110 Wynn Drive, Huntsville, AL 35805. The funding would be used for OBVP provides electric power for vehicles and mission electronics. OBVP fits the space inside the bell housing of vehicle transmissions. The system is capable of producing 30–70 kW. Increased power is needed for IED detection and weapon systems. Taxpayer Justification: Growth in energy requirements on the battlefield has created a critical need to accelerate this program to production readiness. The system can deliver mobile/exportable electric power from the vehicle engine for electric power gap requirements.

Request as named in the report: Extremely Large, Domestic Expendable and Reusable Structures (ELDERS)

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: Dpa Defense Production Act Purchases

Legal Name of Requesting Entity: ATK Aerospace Structures

Address of Requesting Entity: 751 County Road 989, Building 1000, Iuka, MS 38852

Description of Request: $9,800,000 For Current domestic large-scale, composites production capacity is constrained by processing limitations associated with the large diameter of the items being manufactured. At the same time, the Air Force is making future plans to utilize structures with diameters in excess of nine meters. The current domestic industrial production capacity does not support this scale of extremely large composite launch structures. The ELDERS Title III program was initiated in FY2009 with $8.0 million to scale-up domestic composites manufacturing and processing capacity and support facilities to meet this critical emerging need in military space access. The three-phase program includes evaluation, modification and qualification of current automated production equipment and facilities, and the acquisition of necessary industrial capacity and processing capabilities. In general, Title III activities serve to lower defense acquisition and life-cycle costs and to increase defense system readiness and performance through the use of higher quality, lower cost, and technologically superior materials and technologies. The ELDERS Program will increase the capacity for increasingly larger composite structures, including development and acquisition of higher performing composite processing equipment.

Request as named in the report: Adaptive Robotics Technology for Space, Air and Missiles [ART–SAM]

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: Calhoun Community College

Address of Requesting Entity: 6250 Hwy. 31 North Decatur Campus, Tanner, AL 35671

Description of Request: $4,200,000 for Adaptive Robotics Technology for Space, Air and Missiles [ART–SAM] in fiscal year 2010. The entity to receive funding for this project is Calhoun Community College, located at 6250 U.S. Highway 31 North, Tanner, AL 35671. The funding would be used for a joint venture with leadership from the U.S. Army Space and Missile Defense Command (SMDC) and Alabama Industrial Development Training (AIDT), and will establish national robotics research and development capability at Calhoun Community College to leverage government, industry, and academia partnerships and their respective investments. Additionally, funds will be used to procure instrumentation, components and test fixtures to provide a hands-on laboratory for experiments and process testing in an unmanned environment. Taxpayer Justification: The ART–SAM project, once operational, will develop robotics technologies, systems and products for a variety of SMDC projects, programs, and core mission needs. It will serve as an economic development catalyst for robotic research and development,

training, operations and manufacturing. It will also support workforce development initiatives throughout the state.

Request as named in the report: Protective Self-Decontaminating Surfaces

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—DW

Legal Name of Requesting Entity: Ventana Research Corp. (VRC)

Address of Requesting Entity: 139 Barnes Drive, Suite 2, Tyndall AFB, FL

Description of Request: $1,600,000 for ACD&P project of self-decontaminating surfaces for long-lasting personnel (e.g. clothing) & shelter (e.g. hospitals) protection from Chem/Bio (& nerve gas) attacks. Light-activated decontaminating material produces singlet oxygen, a mild oxidant, to destroy CB agents. Demonstrated the material traps & stores excess singlet oxygen during periods of sun & artificial light. Stored singlet oxygen is released to provide indoor & outdoor protection of 8+ hours during no light & dark periods. Further, no protection loss demonstrated in intense Arizona sunlight 39+ hours during 100+ degrees days. Completed FY07 Individual Protection (IP) ATD milestones. Started FY08 IP ACD&P phase & initiated nerve gas protection ATD for ACD&P in FY10 and will continue ACD&P effort in FY09. Technology: Sun or artificial light activates the decontaminating material to produce singlet oxygen, a mild, short-lived oxidant that effectively destroys chemical/nerve & biological agents. This long-lasting & durable capability for around-the-clock protection using sun or artificial light is the heart of the invention. Our FY10 request is prompted by the need for including nerve gas and nuclear decontamination capability. This will involve added-on tasks to the program in terms additional test and evaluation efforts. Nerve gas protection effort will address chemistry efforts and tests, nuclear protection disposable, absorbent materials.

Progress: (1) Mustard gas stimulant treated fabric tests demonstrated self-decontamination capability after exposure of 39 days to the intense AZ summer sun; (2) Kappler Provent fabric treated with VRC Decon Dye Coating demonstrated standard industrial practice can be used for first-article production of garments for breathability, field laundering, & durability testing; (3) VRC Decon Dye Coating showed no adverse effect upon Provent fabric's breathability, an essential Joint Service Lightweight Integrated Suit Technology (JSLIST) Ensemble requirement; (4) Airtight seam-bonding process demonstrated with Provent Fabric dyed with VRC Dye Coating enables standard protective suit manufacturing procedures eliminating protective coating application after suit completion, a more costly approach; (5) NMR & UV-Visible Spectroscopy showed Ventana Decon Dye Coating efficiently traps visible light-generated singlet oxygen in repeated release & oxidation a mustard gas & VX stimulant to decontaminated product in darkness; (6) UV-Visible Spectroscopy demonstrated to be a more cost-effective QA tool than conventional NMR inspection; (7) Live tests will be performed at the Defense Science & Technology Laboratory (distl), Proton Down, UK, during the week of April 27, 2009, additional tests are planned for 2Q09 & 3Q09. Samples have been provided to Dr. Stephen Lee, Chief Scientist, Ofc. Director U.S. Army Research Office, for coordination & ITAR, export/import matters & permits.

The requested FY10 program under JPM–CBD's leadership addresses: (1) Perform ATDs on VRC Decon Dye coatings to add nerve gas & radiological agent (disposable garments & coatings) protection; (2) Conduct operational validity tests (ACD&P) of preselected Light-Activated CBNR Protective systems; (3) Continue pre-production of protection systems at Kappler & Ventana for several ACD&Ps of representative JLIST materials, components & suits & upgrade facilities to full production status.

Request as named in the report: Remote Monitoring and Troubleshooting (RMAT) Project

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: OP.N

Legal Name of Requesting Entity: Intergraph

Address of Requesting Entity: 170 Graphics Drive, Madison, AL 35758

Description of Request: $2,320,000 for RMAT will integrate with shipboard local control and monitoring systems by networking them together and providing secure shore-based remote monitoring of those systems in real time. Through the use of sensors, networks, and software-based controllers, RMAT will provide the means for monitoring and troubleshooting various shipboard systems that are vital to ship operations, and allow engineers from various shore-based locations to collaborate in a real-time secure environment. RMAT will enable faster response times and mitigation of damage caused by engineering casualties, blast, fire, flooding, and equipment malfunction. Implementation of RMAT will increase the level of sensor data fusion, situational awareness, and survivability of the ship, as well as its ability to successfully complete its mission. The change from analog systems and manual data collection will save thousands of man-hours every year. Without funding for this effort, a need will exist to continue maintenance of obsolete hardware-based control panels and large redundant watch-standing and damage control repair parties that rely on slow, outdated, and error producing control systems and information management techniques.

Request as named in the report: Transitioning Stretch Broken Carbon Fiber to Production Programs

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: Hexcel Corporation

Address of Requesting Entity: 3300 Mallard Fox Drive, Decatur, AL 35609

Description of Request: $3,200,000 for composite structure on existing military aircraft has saved weight and reduced O&M costs. However, a solution to the high cost and unrealized weight benefits of these structures is badly needed. Studies done in conjunction with the major aircraft manufacturers show that while composite material properties predict a weight savings of about 50% is achievable, only about 10–20% is being realized in today's designs. The problem is that the composite materials that are currently available in the marketplace cannot be formed into the complex geometries necessary to realize the true weight savings available. This results in pressure at the design stage to reduce the complexity of parts so they are more fabrication friendly. If the designer holds firm on the part complexity, automated fabrication techniques are often ruled out due to the challenges of forming complex geometries with these processes. The end result is added weight and cost to the structure. Stretch Broken Carbon Fiber (SBCF) technology affords more weight reduction opportunities than any other solution under evaluation by the DoD. SBCF product forms offer a pseudo plasticity akin to metals that makes the forming of complex geometries much easier. These products can be used in all of the automated composite processes currently being used by fabricators including fiber and tape placement and engineered textile approaches for fabricating net shape preforms used in resin infusion processes. The focus of this program will be twofold. First, funding will be allocated to various composite part fabricators to develop robust processes to mold full size prototype parts with SBCF product forms. Second, funding will be allocated to generate a Mil-HdBk-17 approved database. Both tasks are necessary to take this technology into production.

Request as named in the report: Cooperative International Neuromuscular Research Group

Requesting Member: ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Army

Legal Name of Requesting Entity: Children's National Medical Center

Address of Requesting Entity: 111 Michigan Avenue, NW., Washington, DC 20010

Description of Request: $3,280,000 for funds will be used for ongoing research and testing using molecular patches, to see if the same improvements experienced by dogs in clinical trials can be extended to humans with muscle damage. The funds will be used for ongoing research and testing using molecular patches, to see if the same improvements experienced by dogs in clinical trials can be extended to humans with muscle damage. This research benefits both warfighters (in terms of combating the effects of biological warfare attacks), and also potentially the civilian population who suffer from similar muscle tissue deterioration.

PRINCIPIA COLLEGE SOLAR CAR

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor the achievements of the Principia College Solar Team at this year's Global Green Solar Challenge.

Thirty-two teams from around the world traveled to Darwin, Australia for a 3000 kilometer race across the Australian outback in solar powered cars. Only nine teams were able to finish the grueling challenge, included among them was this outstanding group from Elsah, Illinois. Principia's Ra7 finished seventh in the world in this year's race and third among American entries.

While other teams spent millions from corporate sponsorships, the Principia team spent less than $180,000. The winner, Tokai University of Japan, was sponsored by Sharp Electronics, a leader in solar engineering. This year's runner-up was sponsored by the European Space Agency. When the race was over, Principia earned the Safety Award from race officials, their fourth overall and first in international competition.

I want to congratulate John Broere (Director of Engineering Science), Joe Ritter (Assistant Dean of Academics) and the members of the Principia College Solar Team on their outstanding achievement. Their efforts have done much in accelerating this exciting field of scientific exploration.

IN RECOGNITION OF DOROTHY BRYANT

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SKELTON. Madam Speaker, let me take this means to recognize Dorothy Bryant from my hometown of Lexington, Missouri. Mrs. Bryant will be retiring at the end of this year after thirty years of dedicated service to the Lafayette County Sheriffs Department.

Mrs. Bryant began working for the Sheriffs Department on January 21, 1980, and since then has worked for five different Sheriffs of Lafayette County. She has worked for the current Sheriff, Kerrick Alumbaugh, for nine of her thirty years. A loyal and dedicated employee, Mrs. Bryant has worked tirelessly to serve the residents of Lafayette County.

Madam Speaker, Dorothy Bryant has helped keep the people of Lafayette County safe for the past three decades. I trust that my fellow members of the House will join me in wishing her the very best in her well-earned retirement.

HONORING LARRY KELLNER, CHAIRMAN AND CHIEF EXECUTIVE OFFICER OF CONTINENTAL AIRLINES INC.

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CULBERSON. Madam Speaker, I rise today to honor Larry Kellner, chairman and chief executive officer of Continental Airlines Inc, the world's 5th largest airline. In May 2001, Larry Kellner was elected president of the airline and to the Board of Directors, and in March 2003, he was named president and chief operating officer. In December 2004, Mr. Kellner became chairman and chief executive officer, where he has promoted international growth at Continental Airlines and has fostered the company's unique culture, putting emphasis on strong internal communication and giving employees the tools to provide outstanding customer service.

Throughout Mr. Kellner's 14-year career at Continental, the company has won more awards for customer satisfaction than any other airline. In 2009, FORTUNE magazine ranked Continental the No. 1 airline on their annual airline industry list of ''Most Admired Global Companies'' for the 6th consecutive year. Continental Airlines also employs 41,000 system-wide and nearly 12,000 in Houston, Texas.

Prior to joining Continental, Mr. Kellner was executive vice president and chief financial officer of American Savings Bank, owned by The Robert M. Bass Group. Prior to that, he was executive vice president and chief financial officer of The Koll Company, a private real estate investment and construction firm.

Kellner graduated magna cum laude with a bachelor of science in business administration from the University of South Carolina, where he served as Student Body President. In addition, the University of South Carolina presented him with the Distinguished Alumni Award in 1998.

Mr. Kellner is active in numerous community and civic organizations. He currently serves on the board of directors for Marriott International and the Air Transport Association. On the civic front, he is a member of the board of directors for the Methodist Hospital, YMCA of Greater Houston, the Greater Houston Partnership, the Spring Branch Education Foundation, and Central Houston, Inc., and is a member of the Boy Scouts of America National Executive Board. Mr. Kellner also serves on the advisory boards of the March of Dimes and Teach for America, and is on the development board of the University of Texas Health Science Center at Houston. He resides in Houston with his wife, Susan, and their four children.

After more than 14 years at Continental Airlines and 5 years as its CEO, Mr. Kellner will leave the company at the end of 2009 and will head Emerald Creek Group, LLC, a new private investment firm based in Houston.

Congratulations to Larry Kellner for his many achievements throughout his career at Continental Airlines and the best of luck in his future endeavors.

SHILOH MISSIONARY BAPTIST CHURCH 100TH ANNIVERSARY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor Shiloh Missionary Baptist Church of Mount Vernon, Illinois for reaching the centennial milestone.

Shiloh Missionary Baptist Church opened in 1909 on Vaught Avenue in Mount Vernon and held services at the location throughout 1960's. After being sold, the congregation was unable to find a new location. Being unwilling to dissolve their tight-knit congregation, the Shiloh Missionary Baptist family held services at a member's home for years before acquiring property on Conger Avenue in Mount Vernon.

In spite of adversity, including a disastrous fire in 1999, Shiloh Missionary Baptist Church has held true to its mission in the community and has become a part of Mount Vernon. Its congregation continues its outreach ministry to troubled youths and many others in the community.

I want to join with the members of this House in congratulating Reverend Lawrence James and the men and women of Shiloh Missionary Baptist Church on celebrating one hundred years of good works, to thank them for all they do for our community and to wish them another hundred years of success.

FREEDOM CAPTIVATES THE HUMAN SPIRIT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. WOLF. Madam Speaker, last week I spoke at a moving exhibit at the Heritage Foundation which featured a collection of 50 paintings by Ukrainian artist and gulag survivor Nikolai Getman.

Mr. Getman spent eight years in a Siberian gulag. Following his harrowing experience he secretly undertook to chronicle his time in the Soviet forced labor system because he said he was ''convinced that it was my duty to leave behind a testimony to the fate of the millions of prisoners who died and who should not be forgotten.''

These 50 paintings are the fruit of 40 years of work on the part of Nikolai. They are a powerful testimony of one's man's triumph over totalitarianism. They ought not be relegated to the annals of history. While the Soviet Union no longer exists, those who seek to suppress freedom, be they in North Korea, China or Egypt, are still with us.

I submit my remarks from the Heritage Foundation event:

''Experience and the record had convinced me that communism is a form of totalitarianism, that its triumph means slavery to men wherever they fall under its sway, and spiritual night to the human mind and soul.''

These words were spoken by famed Communist party member, Soviet spy and ultimate defector, Whitaker Chambers.

In testimony before the House Unamerican Activities Committee, Chambers said that in spite of what he knew to be true of communism, he believed he was ''leaving the winning side for the losing side'' but that was ''better to die on the losing side than to live under communism.''

Of course we know that Chambers' fear proved to be untrue. That communism, as Ronald Reagan predicted, was destined for the ''ash heap of history.'' That the gulags of that era, depicted before us tonight, were destined to be relics of the past.

Ronald Reagan modeled how to confront repressive regimes like the Soviet Union. He spoke truth to power. He boldly pressed the Soviets to respect the fundamental human rights of their own people. He raised the cases of dissidents by name.

He did this because of a fundamental belief that the US. constitution was a ''covenant we have made not only with ourselves, but with all of mankind''

Reagan once said, ''Coersion, after all, merely captures man. Freedom captivates him.''

Indeed freedom captivates the human spirit and ultimately triumphs over tyranny whatever form it takes.

RECOGNIZING WINIFRED ''WINN'' BUNDY

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. GIFFORDS. Madam Speaker, I rise today to recognize Winifred ''Winn'' Bundy, who has been named a 2009 Arizona Culturekeeper for her commitment and dedication to upholding the traditions, rituals and culture of my State.

For thirty-five years, Winn has operated the Singing Wind Bookshop near Benson, Arizona. Time magazine called Singing Wind ''one of the warmest bookshops on Earth'' and a national travel writer said it was ''the most unique book-buying experience of my life.''

Winn did not start out planning to run a book store. In 1956, she earned a degree in history and English from the University of Arizona. That year she and her husband bought the Singing Wind, a working cattle ranch.

Winn's love of literature led her to start selling books from the living room of her ranch home. Winn soon developed a reputation for featuring a rich selection of regional authors and topics that draw readers from around the world. Since then, Winn's ranch house has become a must-visit destination for lovers of Southwestern literature who come from far and wide by car and tour bus. Winn now has 150,000 titles in stock on everything from Indian rock art to ghost towns to the Jewish Western experience.

Since 1974, Winn has helped hundreds of Southwestern writers get their start. She specializes in small press books that do not appear in big chain stores and connects authors with publishers to get their works in print.

Winn also cultivates the love of literature and the humanities through the many community activities she sponsors. From its inception, Singing Wind has offered a bookmobile, school programs, book discussions, author readings and writers' festivals.

Earlier this year, Winn received the Juliana Yoder Friend of the Humanities Award from the Arizona Humanities Council. On December 20, 2009 she will be named an Arizona Culturekeeper, an award presented by the Westin Kierland Resort & Spa, in conjunction with the Sharlot Hall Museum, the Arizona Historical Society and Marshall Trimble, Arizona's official state historian.

I am proud of the work that Winn has done to preserve Arizona's culture and to bring literature to a wide audience. She is truly a deserving recipient of the Culturekeeper Award and I join with the award committee in commending her for all that she has done for the people of Arizona and for readers across the country and around the world.

VFW POST 2055 75TH ANNIVERSARY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor the men and women of the Veterans of Foreign Wars Post 2055 in Centralia, Illinois, as they celebrate their 75th anniversary on December 18.

Post 2055 began in a renovated church in 1934 and was followed a year later by the chartering of the local VFW Ladies Auxiliary. The post has grown from its original membership of 56 to a high of more than 600 members.

The men and women of the Centralia VFW post have continued to serve their community and our nation long after their terms of active duty military service have ended. Post 2055 members assemble and send care packages to service men and women in Iraq and Afghanistan.

Members of VFW Post 2055 are dedicated to serving their community. They regularly volunteer at the local Veterans Administration hospital, teach firearms safety courses and participate in cancer research fundraisers.

I would like to thank the men and women of VFW Post 2055 in Centralia, Illinois, for their service to our nation, their continued support of America's soldiers and their dedication to their community.

TO COMMERMORATE THE ESTABLISHMENT OF THE NORTH AMERICAN HEADQUARTERS OF NUMONYX

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. DANIEL E. LUNGREN of California. Madam Speaker, tomorrow in my district—in Folsom, California—Numonyx will establish its North American headquarters. Numonyx is a leading semiconductor technology firm that specializes in memory products.

Approximately 450 members of the Numonyx global workforce will be located in nearly 100,000 square feet of building space on its new campus. The campus will house product research and development, business management, testing labs, validation labs, sales, marketing, and more.

Folsom was chosen as the new home for Numonyx due to its business-friendly environment, highly skilled and educated workforce as well as being a family-oriented community. Numonyx will play an important role in the ongoing growth of the workforce, economy and technical skill within the greater Sacramento region.

Beyond the obvious business, employment, and economic benefits, Numonyx's impact reaches the community at large with ''Numonyx in Your Neighborhood'' campaigns. These campaigns assist in meeting the needs of individuals and charitable organizations within the Sacramento region.

I am pleased that this leading-edge and high impact company has chosen California's 3rd district as its home.

THE TALKING WATER GARDENS PROJECT IN OREGON IS AN EXCELLENT USE OF RECOVERY ACT FUNDS

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. DEFAZIO. Madam Speaker, I rise today to draw attention to an example of Recovery Act funds that have been invested wisely. The ''Talking Water Gardens'' is a high-priority wastewater treatment project in Albany and Millersburg, Oregon that received Recovery Act funds from the Clean Water State Revolving Loan Fund. Those funds will be used to construct 39 acres of treatment wetlands and reuse the treated water to improve riparian habitat. Unfortunately, a report by two members of the Senate entitled, ''Stimulus Checkup: A closer look at 100 projects funded by the American Recovery and Reinvestment Act,'' inaccurately and unfairly criticized this project. Had the two Senators who authored the report called these two Oregon cities to inquire about the project they would have learned that the Talking Water Gardens is a shining example of how Recovery Act funds can be used to improve our aging infrastructure, mitigate environmental damage, and create good-paying jobs. The project also illustrates how a successful public-private partnership can work. I respectfully submit this letter from the City of Albany, which further explains the inaccuracies in the ''Stimulus Checkup'' report on this important project.

CITY OF ALBANY,
Albany, OR, December 14, 2009.

Hon. PETER DEFAZIO,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN DEFAZIO: On December 10, 2009, we learned that Senator John McCain and Senator Tom Coburn named ''Talking Water Gardens,'' our wastewater treatment and water reuse project, in a report that questions the validity of 100 projects funded by the American Recovery and Reinvestment Act. This project is an important, necessary, and high-priority wastewater treatment project for the State of Oregon that received funding through the State Clean Water Revolving Loan Fund program. This project provides sustainable benefits for the community, the economy, and the environment. We offer this letter in rebuttal to the ''Stimulus Checkup'' report dated December 2009.

No one from Senator McCain or Senator Coburn's offices have ever contacted the City of Albany or the City of Millersburg regarding the project. The information sources referenced in the report were never verified with us for accuracy. It appears that our project was singled out simply because of the whimsical name, ''Talking Water Gardens.'' The project will construct roughly 39 acres of treatment wetlands and reuse the water to improve the riparian habitat on land that is the blighted site of two defunct lumber mills adjacent to the old oxbow of the Willamette River. This land has significant elevation differences, so the treated wastewater from the Albany-Millersburg Water Reclamation Facility and the ATI Wah Chang treatment facility will enter the project at elevations above the wetlands, creating several waterfalls that will aerate the water. Waterfalls are often referred to as ''talking waters'' and the name was chosen with children and the Native American Kalapuya/Willamette River heritage in mind.

The conclusions of the McCain-Coburn report are inaccurate and misleading:

(1) The report states that a non-competitive contract was issued for the construction. This is false. In accordance with the Oregon Revised Statutes, the cities employed a construction manager/general contractor (CM/GC) procurement method that is allowed and, in fact, encouraged by the State to lower public project costs. The process followed a Request for Proposal and interview process that included evaluation of both cost

and non-cost elements. Of six proposals received, the selected contractor represented the best qualified and least costly.

(2) The report fails to mention that the Willamette River, one of the 14 American Heritage rivers, has new thermal load restrictions placed upon treatment plants to protect and recover threatened and endangered salmon fish species as well as other water quality regulations.

(3) The report fails to mention that the wastewater treatment plant serving the cities of Albany and Millersburg and ATI Wah Chang must construct additional wastewater treatment capital facilities to comply with the regulations.

(4) The report failed to note that the project is a unique industrial/municipal partnership, between the cities of Albany, Millersburg, and ATI Wah Chang with the industrial partner contributing its share of capital.

(5) The report failed to note that this project provides a secure and environmentally-sound wastewater treatment solution for ATI Wah Chang, a major local employer and significant rare metals industry in the United States. This project protects the jobs at this industry that would have been put at risk had a cost-effective treatment solution not been found.

(6) The report fails to mention that the project is the least-cost alternative that requires the smallest ratepayer increases to comply with the regulations.

(7) The report fails to mention that this project received an Honor Award from the American Academy of Environmental Engineers for Excellence in Environmental Engineering.

(8) The report failed to say that the project will provide employment for an estimated 100 people in diverse sectors: electricians, mechanics, pipe layers, and excavators; surveyors, engineers and construction managers; raw material and equipment suppliers for the pipe, pumps, rock, concrete, asphalt, wiring, steel and other materials; landscapers and nurseries. These jobs are needed in Linn County, where 15.1% unemployment far exceeds the U.S. (10.2%) and Oregon (11.3%) seasonally adjusted rates as reported in the December 2009 Benton/Linn Labor Trends Report for October.

Talking Water Gardens is a shining example of how to balance the needs of the environment with the needs of cities and American industries to preserve jobs in these tough economic times. Many, many people have worked hard to make this project happen and singling it out for criticism without verified foundation is shameful at a time when we all need to be working together.

Sincerely,

SHARON KONOPA,
Mayor.

JUNIOR SERVICE CLUB 75TH BIRTHDAY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to join in the celebration of the 75th anniversary of an important community organization in Collinsville, Illinois.

The Junior Service Club has worked for three quarters of a century to better the lives of the children in the community. The group's volunteers have worked tirelessly to provide fun activities for the community's youth. Over the decades, they ensured the children had a good meal during the holidays and have taught them the value of service to one's neighbors.

The club's fundraising efforts have gone to benefit hospitals, fire victims, community parks, senior programs and scholarships for graduates of Collinsville High School. Today, the club consists of about 50 members. Many of the volunteers are teachers who represent the third generation of their family to belong to the Junior Service Club.

I want to join with the members of this House in congratulating the members of the Collinsville Junior Service Club on celebrating their 75th anniversary and thank them for their service. I want to wish them another 75 years of continued success.

PERSONAL EXPLANATION

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. KILROY. Madam Speaker, on the legislative day of Tuesday, December 15, 2009, I was unable to cast a vote on rollcall vote 971. Had I been present, I would have voted "yea" on rollcall vote 971.

THE RETIREMENT OF CHIEF CHARLES A. TEALE, SR., FROM THE HARTFORD FIRE DEPARTMENT

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. LARSON of Connecticut. Madam Speaker, I rise today to honor Fire Chief Charles A. Teale, Sr., of the Hartford Fire Department who is retiring after serving 27 years—9 of those as its chief.

In his years of service, Chief Teale has gained a reputation as a fair, no-nonsense administrator who helped to restore order and stability to the Hartford Fire Department. Under his watch, the Hartford Fire Department maintained its Class 1 status, a designation shared by only 41 of 38,000 departments across the country. Among Teale's many accomplishments is his emphasis on attaining high educational and professional standards. Due to the department's educational outreach, the number of structure fires in Hartford decreased from 366 in 2001 to just 80 in 2008.

In one of his proudest accomplishments, Teale showed a dedication to the community he served that extended far beyond his duties as fire chief. He worked as co-chairman of a committee that raised $125,000 to create a memorial to the 168 people who died in the Hartford circus fire of July 6, 1944. Motivated by the conviction that a memorial had to be created before the generation that remembered one of Connecticut's worst disasters passed on, Teale dedicated the beautiful memorial in 2005, on the 61st anniversary of the fire.

Chief Teale's own story is truly remarkable. He dropped out of school at age 14, but returned and excelled, thanks to the mentoring of legendary Hartford educator Walter "Doc" Hurley. He went on to earn multiple advanced degrees, including a master's in public administration from the University of Hartford. Chief Teale's passion for learning is everlasting, and after retirement he plans to pursue a doctorate in psychology, which will help him empower Hartford's young men to make smart choices as they enter adulthood, just as Doc Hurley influenced him.

The residents of Hartford and Connecticut's First Congressional District are indebted to Chief Teale for his extensive efforts to serve the Greater Hartford community. His dedication to Hartford and its history, as well as his ability to lead, have made him not just an outstanding fire chief but an exceptional ambassador for the city. His fire boots will be hard to fill, but we wish him well on his admirable goals of returning to school and serving as a mentor to the young men in Hartford.

JUDGE DOROTHY SPOMER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor Judge Dorothy Spomer, who broke barriers as she served on the bench in Southern Illinois. Judge Spomer was recently honored at Southern Illinois University Carbondale's Inpiring Women Gala.

Judge Spomer graduated from the University of Illinois College of Law in 1943, at the age of 22. Throughout her historic career, she set an example for other young women as the first female judge in Alexander County, the first female circuit judge in the First Judicial Circuit and the first woman to sit on the appellate court in the Fifth District.

A dedicated public servant, Judge Spomer came out of retirement in 1977, when Illinois Supreme Court Justice Joseph Goldenhersch called on her to serve on the appellate court in Mount Vernon.

Judge Spomer's example inspired her son, Judge Stephen Spomer, to carry on the proud famiy tradition of public service as he presides over the same Fifth District Appellate Court.

I would like to join Southern Illinois University Carbondale, as they honor her at their Inspiring Women Gala, in thanking Judge Dorothy Spomer for her lifelong service to Southern Illinois.

HONORING LIAM MCLAUGHLIN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. ENGEL. Madam Speaker, Liam McLaughlin is leaving the Yonkers City Council after serving four terms, representing the Fourth District since 1999. He served as Majority Leader of the City Council and is leaving as the Minority Leader and Chair of the Budget Committee and the Environmental Policy & Protection Committee.

He also served on the Education Committee, the Real Estate & Economic Development Committee, the Municipal Operations

Committee, the Intergovernmental Relations Committee, the Rules Committee, and the Legislation and Codes Committee.

He graduated from Fordham University in 1989, majoring in accounting, and worked for the major accounting firm of Ernst & Young before taking his law degree from the New York Law School.

As a council member Liam worked with the mayor and fellow council members on a bipartisan basis for the betterment of his district and the City of Yonkers as a whole. He strove to hold down taxes, to create jobs, to improve the city's parks and playgrounds, increase senior citizen programs and implement a citywide beautification program. He encouraged 'smart development' to make Yonkers attractive to new businesses which brought many new jobs to the city.

Aside from his representation on the council, he is a Board Member of the Aisling Irish Community Center, a Board Member and President of Tara Circle, a member of the Ancient Order of Hibernians, the Westchester Friendly Sons of St. Patrick, and a member of the New York State Bar Association.

I congratulate Liam for all of his good work and diligence in representing not only his district and its families, but the City of Yonkers as a whole. I was privileged to be able to work with him in helping Yonkers and know first hand that Yonkers is enormously better for having him. I know his family will be happier now that he will not have as many meetings to attend but the City of Yonkers will sorely miss his leadership and dedication. I wish him the best in all his endeavors and am looking forward to his return to office.

ST. MARY'S GOOD SAMARITAN HOSPITAL CENTENNIAL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor a century of service from an institution of healing in Centralia, Illinois.

St. Mary's Hospital opened on Thanksgiving Day in 1909 and has been serving the Centralia area since. As the city grew, the Poor Handmaids of Jesus Christ and the Felician Sisters worked to meet the medical needs of the growing population. In 1958, the hospital moved to a new 117-bed facility on Pleasant Avenue, where it went through 3 expansions 1969 to 1981.

In 1996, St. Mary's Hospital merged with Good Samaritan Regional Health Center in nearby Mt. Vernon. With the merger, they entered the 21st Century at the forefront of medical care. Over the last 100 years, the people at St. Mary's have not forgotten their core mission and have served our community with a level of devotion that is second to none.

I want to join with the members of this House and the residents of South Central Illinois in congratulating St. Mary's Good Samaritan Hospital on celebrating its centennial. I want to thank them for their healing ministry and to wish them continued success for the next hundred years.

RICHARD ALGER FLORIDA AGRICULTURE'S MAN OF THE YEAR

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to give my heartfelt congratulations to Richard Alger on his recent induction into the Florida Agricultural Hall of Fame.

Being named to the Florida Agricultural Hall of Fame is a high honor, because it is the closest thing we have in South Florida to being named agriculture's man of the year.

With his very strong educational background, gregarious personality and true compassion for our community, Richard has been a strong voice for farming for over four decades.

Richard made his mark through his assistance to minority farmers in our area, as a board member of Farm Credit of South Florida; a generous contributor to the Farm Share program; and for working with the University of Florida on agricultural research.

I am pleased to join the Greater Homestead/Florida City Chamber, Jolayne, his family, including 17 grandkids, friends and neighbors in their celebration of his countless contributions.

HONORING TOM McROBERTS

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. PETERSON. Madam Speaker, I rise today to honor the accomplishments of Tom McRoberts on the occasion of his retirement from the University of Minnesota, Morris (UMM). During his career of over 34 years with the University, Tom has served several communities as an administrator, mentor, and innovative educator. These titles are unable to capture the full measure of Tom's contribution to the University, local community, the state of Minnesota.

Tom is tireless in his efforts to expand learning opportunities. His ingenuity has never been bound by his official titles of Director of Continuing Education and Regional Programs, Director of the Center for Small Towns, Director of the Center for International Programs, and the other positions he's held over the years. Tom has served as a mentor and academic advisor to numerous students who have gone on to obtain internships and jobs in the public service arena and win prestigious national scholarships. He has been instrumental in developing programs to connect the University to the local community and to open the world for exploration by the students he has so faithfully served, including establishing the UMM Center for International Programs and creating the UMM Summer Scholars program for gifted high school juniors from around the region, soon to be in its twenty-sixth year.

Over the years, Tom has been recognized for his remarkable contributions with a number of honors, including the all-University John Tate Award for Excellence in Undergraduate Advising, the UMM Academic Staff Award, the College of Continuing Education Deans Award for Individual Achievement, and the University of Minnesota Presidents Award for Outstanding Service.

This impressive record of service doesn't begin to describe the man. As his colleagues and students note, Tom is modest, compassionate, and blessed with a good sense of humor. One close colleague has described Tom as a specialist in making things happen without claiming credit. He accepts assignments others won't take. He sees opportunities to do good and he takes them and when these aren't obvious, he creates them. Tom has truly made walking the extra mile a way of life, achieving a legacy of accomplishments that will pay dividends for generations to come.

Madam Speaker, I wish to extend my congratulations and appreciation to Tom McRoberts for the extraordinary career at the University of Minnesota Morris.

SPRINGFIELD SENATORS—CROSS COUNTRY STATE CHAMPIONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor the achievements of an outstanding group of student-athletes from Springfield, Illinois.

The Springfield Senators girls cross country team took the state championship at this year's Illinois High School Association state finals November 7 at Detweiller Park in Peoria. Springfield High finished with a score of 124, six better than the runners-up from Yorkville. The Senators were led by Kirby Hale, who had the fourth-best overall time for the tournament, finishing in 17:51.

I want to congratulate Coach Dan Devlin, Assistant Coach Trae Cotner and the members of the 2009 Springfield Senators state champion cross country team: Kirby Hale, Madie Alexander, Maggie Cornelius, Christy Rolf, Jessica Larson, Leora Reyhan, Sarah Ward, Giuliana Bailey, Christina Kropid, Julia McClure, Erin Shultz and Lauren Smith. They have represented themselves, their school and our community in a first-rate fashion. I want to join with my colleagues in this House in wishing them continued success in their future academic and athletic endeavors.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. YOUNG of Alaska. 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. 3326, the Departments of Defense Appropriations Act, 2010.

Project Name: Synthetic Liquid Fuels

Bill Number: H.R. 3326

Legal Name and address of entity receiving earmark: Eielson Air Force Base, Alaska

Description of how the money will be spent and why the use of federal taxpayer funding is

justified: This project will supply the U.S. Air Force and other military branches a secure supply of synthetic fuels to operate fighters, bombers and other aircraft and military equipment. It will help the Air Force to achieve its stated goal of certifying its fleet of aircraft on a synthetic fuel blend and purchasing 50 percent of its fuels in the form of a synthetic fuel blend by 2016.

Appropriated Amount: $2,400,000

Detailed Finance Plan: Research and Development, $2,400,000

Project Name: AutoScan Under-Vehicle Inspection System

Bill Number: H.R. 3326

Legal Name and address of entity receiving earmark: Kachemak Research Development, Inc., 59584 East End Road, Homer, Alaska 99603

Description of how the money will be spent and why the use of federal taxpayer funding is justified: Kachemak Research Development, Inc. is a woman owned, HUBZone, 8(a) entity. AutoScan, an under vehicle inspection system developed by KRD, is a stationary system that captures the entire undercarriage image of vehicles, ranging in size from passenger vehicles to semi-trucks. Because of the unique capabilities of AutoScan, vehicles do not need to maintain a constant speed as they travel across the system. Funding will be used for product enhancement and beta testing of Autoscan generation 2 and 3 architecture. As part of the inspection protocol at every military base, CONUS and OCONUS, the undercarriage of every delivery vehicle must be inspected. Standard inspection protocols have been comprised of a mirror-mounted stick or search pits. AutoScan makes it possible for inspection personnel to maintain a safe standoff distance. Additionally, it stores images for later comparison and analysis if needed. And it provides one, complete, clear image of any vehicle's under-side in real-time and capabilities that no similar system is able to provide.

Appropriated Amount: $2,400,000

Detailed Finance Plan: Research and Development, and Testing, $2,400,000

Project Name: Electromagnetic Interference Hardened Expandable Rigid Wall Shelter

Bill Number: H.R. 3326

Legal Name and address of entity receiving earmark: Alkan Shelter, LLC, 1701 South Cushman Street, Fairbanks, Alaska 99701

Description of how the money will be spent and why the use of federal taxpayer funding is justified: The U.S. Marine Corps has a requirement to develop an EMI hardened, expandable composite rigid wall shelter, which currently does not exist. The USMC Electronic Maintenance Shelter Program, Calibration Laboratory Program, and the Communication Maintenance Shelter Program are several funded programs with an immediate need. Sufficient funding is not available for an EMI hardened, expandable rigid wall composite shelter development program. Alkan Shelter, LLC, a small business located in a HUBZone in Fairbanks, AK, proposes a three-phase development and test program for an expandable, composite EMI hardened shelter for the U.S. Marine Corps. First phase is to study the feasibility of EMI hardening to 60–80dB attenuation for the entire expandable shelter or hardening one wing of the shelter. The second phase is to manufacture the EMI hardened composite expandable shelter prototype. The third phase will be to perform EMI and environmental testing to ensure requirements are met. The Marine Corps now uses 1980's technology rigid wall shelters that have aluminum skins and a paper honeycomb core. These shelters are: poorly insulated, have a limited roof and floor load, do not have ballistic protection, the roof cannot be sandbagged, are highly subject to corrosion and can only be stacked six-high on ocean going container ships. Additionally, the U.S. military does not have an EMI hardened expandable rigid wall shelter. Alkan's new carbon fiber hybrid composite expandable shelter will provide a technologically superior structure that will correct the deficiencies of old 1980's technology. Combining high tech carbon fiber composites with EMI protection will provide the USMC and the U.S. military with a lightweight, expandable, rugged, thermally efficient, and safer working environment for carrying out their sensitive electronics and calibration repair and maintenance missions.

Appropriated Amount: $800,000

Detailed Finance Plan: Research and Development, $800,000

HONORING THE MEMORY OF DR. STEVEN KARL TEPLICK

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. BONNER. Madam Speaker, Southwest Alabama recently lost a dedicated medical professor and highly regarded academic physician. Dr. Steven Karl Teplick passed away on December 8, 2009, at the age of 68.

Dr. Teplick was Chairman of the Department of Radiology at the University of South Alabama's College of Medicine for nearly 15 years. He was known for his devotion to the teaching and training of medical professionals as well as leading the University's transition to digital cancer diagnostic technology.

Dr. Teplick was a graduate of the University of Vermont, and of Hahnemann Medical College in Pennsylvania. He completed his residency in Radiology and a fellowship in Neuroradiology at Boston City Hospital. Dr. Teplick served his country for three years as a major in the U.S. Army Medical Corps before returning as a faculty member at Hahnemann. Afterwards, he became Vice Chairman of the Department of Radiology at the University of Arkansas, before coming to South Alabama.

A member of numerous medical committees and organizations, Dr. Teplick was most notably a fellow in the American College of Radiology, president of the Alabama Academy of Radiology and a founding member of the International Society of Biliary Radiology.

Dr. Teplick was a lover of nature and enjoyed farming and his horses and beloved pets. He is survived by his wife of 40 years, Carol; two children, Jennifer and Joanna; and four grandchildren.

As we pause to reflect upon the many contributions of Dr. Teplick to our community, we also extend our thoughts and prayers to his family for their loss.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 3326, the "Department of Defense Appropriations Act, FY2010."

Requesting Member: Congressman JOHN J. DUNCAN, Jr.

Account: RDTE—Defensewide

Project Amount: $2,000,000

Legal Name of Requesting Entity: Lentix, 800 South Gay Street, Suite 1625, Knoxville, Tennessee 37929

Description of Request: The funding will be used for the development of a very high resolution benchmarking vision system for long-range surveillance with focus on SOCOM and Navy tracking needs.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. YOUNG of Alaska. 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. 3288, the Departments of Transportation, HUD, and Related Agencies Appropriations Act, 2010.

Project Name: Sexual Assault Response Team Center

Bill Number: H.R. 3288

Legal Name and address of entity receiving earmark: Sexual Assault Response Team (SART) Center, Municipality of Anchorage, P.O. Box 196650, Anchorage, Alaska 99519

Description of how the money will be spent and why the use of federal taxpayer funding is justified: Funding will be used for the continued development and operations of the Municipality of Anchorage Sexual Assault Response Team (SART) Center. This project will support victims through care while participating in investigation and prosecution and help in prosecution of sexual assault cases through professional evidence collection, documentation, preservation and processing.

Appropriated Amount: $400,000

Detailed Finance Plan: Development and Operations $400,000

HONORING JANET M. RODERICK

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MICHAUD. Madam Speaker, I rise today to recognize the accomplishments of Janet M. Roderick of Rome, Maine.

Janet Roderick has been a longtime proponent of the small business community that drives Maine's economy, and her hard work

has helped numerous individuals and small businesses throughout Maine.

Janet has been a Maine Small Business Development Center (Maine SBDC) certified business counselor since 2006 at the Maine SBDC service center at Coastal Enterprises, Inc. On December 21, 2009, Janet will be acknowledged as the 2009 Maine State Star. This honor recognizes her exemplary service on behalf of the small business community in Maine, particularly in Kennebec and Somerset counties in central Maine.

The State Star award is presented each year by the national Association of Small Business Development Centers and recognizes an outstanding SBDC employee from each state. The 2009 award is based on Janet's efforts in 2008 when she worked with 148 small businesses, provided 1,070 hours of one-on-one counseling, and helped to launch 20 new businesses in central Maine. Her efforts led to the creation of 37 new jobs and the retention of 21 jobs. Through her efforts, her clients were able to access capital totaling over $4 million.

Janet has long been involved in helping small businesses, and she has been especially active with women-owned businesses and nonprofits. A certified public accountant, Janet was previously a counselor for 11 years with the Women's Business Center at Coastal Enterprises, Inc. in Augusta. Later, she was an accounting supervisor with an Augusta-based accounting firm, where she specialized in small and women-owned businesses and nonprofit organizations.

Janet was the SBA 1993 Accountant Advocate of the Year and the SBA 2002 Women's Business Advocate of the Year and this further recognition is well deserved. The State of Maine and its small business community owe a debt of gratitude to Janet M. Roderick for her commitment to the success of small business. I applaud Janet's work and extend congratulations to her as the 2009 State Star.

Madam Speaker, please join me in honoring Janet M. Roderick for her life of dedication and service to her community and the growth of Maine's small businesses.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. YOUNG of Alaska. 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. 3288, the Transportation, Housing and Urban Development Appropriations bill.

Project Name: Port of Bristol Bay Expansion

Bill Number: H.R. 3288

Agency: Department of Housing and Urban Development

Legal name and address of entity receiving earmark: Bristol Bay Borough, 1 Main Street, Naknek, AK, 99633

Description of how the money will be spent and why the use of federal taxpayer funding is justified: Shovel ready dock expansion where the largest run of sockeye salmon is processed and shipped. This project is the economic engine for the low-income area of Bristol Bay. These funds will go toward constructing a sheet pile dock and addition to the 27 year old structure.

Appropriated Amount: $1,000,000

Detailed Finance Plan: Construction $1,000,000

THE NATIONAL EMANCIPATION COMMEMORATION ACT OF 2009

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CONYERS. Madam Speaker, I am pleased to introduce, on behalf of myself and my colleagues DAN LUNGREN of California, SHEILA JACKSON-LEE of Texas, and ALCEE HASTINGS of Florida, the National Emancipation Commemoration Act of 2009. This legislation will establish an 18-member National Emancipation Commemoration Commission to provide for an appropriate national observance of the 150th anniversaries of the Emancipation Proclamation in 2013, the Thirteenth Amendment to the Constitution in 2015, and related events, and to conduct a study exploring why modern slavery continues to exist in the United States and elsewhere.

Our Nation's history is unfortunately intertwined with the story of slavery and the slave trade. For hundreds of years, men, women and children were captured and taken from Africa and enslaved in the American colonies. Yet alongside the history of slavery in the United States, we also remember the stories of those who fought against the abhorrent practice—some with the pen, and some with the sword. The work and lives of historical figures like Frederick Douglass, Sojourner Truth, and Harriet Tubman are familiar to our classrooms and history books. Other abolitionists are less well-known, such as Levi and Catherine Coffin, a Quaker couple in Indiana who helped over 3,000 slaves escape to freedom.

The struggle for freedom for all Americans reached a new height on January 1,1863, when President Abraham Lincoln issued the Emancipation Proclamation. With it, he declared "that all persons held as slaves" within the States rebelling against the Union "are, and henceforward shall be free." As the Union Army advanced on the Confederate territory, thousands of slaves gained their freedom each day. Shortly after the war ended, the Thirteenth Amendment to the Constitution was adopted, prohibiting slavery and involuntary servitude throughout the United States.

Despite these milestones, slavery has not yet been relegated to the pages of history. An estimated 27 million people are still in servitude worldwide—including an estimated 50,000 or more people enslaved in the United States.

The National Emancipation Commemoration Commission's work is two-fold. It will advise the Attorney General on making grants available to government and non-profit entities for activities and programs related to the commemoration. These activities may include the publication of scholarly research, production of a commemorative stamp or coin, and the development of informational displays and programs at National Parks and historic sites related to slavery, the Underground Railroad, and the Emancipation throughout the United States.

The Commission created by this bill is also tasked with connecting the commemoration of Emancipation with the problem of modern slavery in the United States and around the world. The Thirteenth Amendment to the Constitution is a living promise of freedom that places a duty on all of us to prevent involuntary servitude. In support of that duty, the Commission will conduct a study addressing why slavery in all its forms still exists, analyzing the persistence of modern slavery in the United States from 1865 to the present, and make recommendations to address issues and concerns highlighted by the study.

For as long as there have been slaves in this country, there have been justice-minded individuals and groups dedicated to the abolition of slavery. It is appropriate that we commemorate their work and the 150th anniversaries of the Emancipation Proclamation and the Thirteenth Amendment, and in so doing, renew our commitment to ending modern slavery in the United States and around the world.

INTRODUCTION OF THE OUTPATIENT MENTAL HEALTH MODERNIZATION ACT OF 2009

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise to introduce the Outpatient Mental Health Modernization Act of 2009, which will support a high quality and cost-savings approach to long-term care mental health services.

Five million Medicare beneficiaries have mental disorders other than mental retardation and 1.3 million of these individuals are under the age of 65. Medicare Partial Hospitalization Programs (PHPs) provide a structured and clinically intensive alternative to hospitalization for patients who otherwise might require sustained inpatient psychiatric hospitalization. PHP psychiatric patients typically receive four to six hours of treatment per day, five to six days a week in hospital-based settings and community mental health centers.

The severity the patient's illness often prevents the individual from obtaining or seeking transportation to the PHP facility, or from accessing high quality food. Additionally, some psychiatric medications that are prescribed to the patient cannot be safely administered without food. These patients often live in group-supervised settings due to difficulties in maintaining family relationships and their financial instability.

Currently, Medicare does not cover the costs of nutritional planning, meals or transportation for patients who receive psychiatric treatment in a PHP setting. Therefore, PHP facilities are responsible for the cost of providing food and transportation. This aggravates financial burdens that many PHPs and countless other community organizations are experiencing in these difficult economic times.

The Outpatient Mental Health Modernization Act of 2009 requires Medicare to reimburse PHPs for providing transportation and food and nutritional services. The bill also establishes a Behavioral Health Advisory Committee in which a diverse group of behavioral health stakeholders would examine and provide recommendations on how to address the

persisting challenges of access, stigma, quality and operability in the mental health delivery system. The Outpatient Mental Health Modernization Act of 2009 is a house companion to S. 1522, a bill that was introduced by Senator DAVID VITTER (R–LA) on July 28, 2009.

Madam Speaker, PHPs are a cost effective alternative that can prevent mentally ill individuals from facing expensive inpatient care, incarceration, or institutionalization. The growing use and role of mental health PHPs in our health care system requires that we amend the law to assist PHPs in delivering the services, care and support to those who are living with severe and chronic mental illness. I urge my colleagues to support the bi-partisan Outpatient Mental Health Modernization Act of 2009, which help sustain an important treatment option in long-term care service network.

EXPRESSING CONDOLENCES AND CELEBRATING THE LIFE OF HENRY S. MILLER, JR.

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in honor of Henry S. Miller, Jr. who passed away on Saturday, December 5, 2009.

Mr. Miller was an icon in the Dallas community who created a real estate empire with over 1,300 employees and 41 offices. After joining the business his father founded, Miller steered Henry S. Miller Co. to success by pioneering the concept of specialization of services. Essentially, Miller championed the idea of creating specialists in commercial real estate fields like industrial, retail, and multifamily. By doing this, he created a real estate culture that encouraged employees to be incredibly knowledgeable in specific areas, allowing the company to move forward quickly and effectively in those fields.

Throughout his career and life, Mr. Miller was regarded as an honest and humble man, and maintained these traits in an industry where it is easy to devolve into something much different. Known throughout the community as a businessman of integrity and knowledge, he was a pioneer in the Dallas real estate industry and helped to develop it into the powerhouse that it is today.

Madam Speaker, I ask my fellow colleagues to join me in honoring this great man who truly was ahead of his time.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. YOUNG of Alaska. 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. 3288, the Departments of Transportation, HUD, and Related Agencies Appropriations Act, 2010.

Project Name: Arctic Utilidors (Phase 11) at Eielson Air Force Base, Alaska

Bill Number: H.R. 3288

Legal Name and address of entity receiving earmark: Eielson Air Force Base, Alaska 99702

Description of how the money will be spent and why the use of federal taxpayer funding is justified: This project (which would be another increment in a highly successful, multi-year funding effort) will repair large sections of the utilidor that are in extreme need. The utilidors and related piping were constructed and installed in the 1950s and were they to fail during the winter season, when temperatures are commonly −40F and lower, the base could suffer catastrophic results in as quickly as four hours.

Appropriated Amount: $9,900,000

Detailed Finance Plan: Repairs $9,900,000

Project Name: Install Edge Lights, Taxiway Golf at Eielson Air Force Base, Alaska

Bill Number: H.R. 3288

Legal Name and address of entity receiving earmark: Eielson Air Force Base, Alaska 99702

Description of how the money will be spent and why the use of federal taxpayer funding is justified: Provides for new taxiway edge lights along a major aircraft access point to the base runway. Project includes installing 12,000 lineal feet of underground wiring and lighting fixtures. There will also be new asphalt shoulders installed after the lighting is completed.

Appropriated Amount: $3,450,000

Detailed Finance Plan: Installation $3,450,000

IN HONOR OF COLONEL JOHN ROBERT MCCARNAN

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize the career of Colonel John Robert McCarnan, retiring Chief Executive Officer of the Delaware River and Bay Authority Police Department (DRBA–PD). Colonel McCarnan, through exemplary commitment and service, has protected the people of our great state for more than 40 years, and he has proven to be a tough and formidable leader in a profession that requires exceptional skill and dedication.

Colonel McCarnan's tenure as CEO of DRBA–PD began in July of 1993. Since that time, he has led the DRBA–PD to new heights, working hard to establish high standards and promote professionalism, integrity, and customer service-oriented policing. DRBA–PD is known as a professional and progressive police organization, and this is a direct result of John's diligence and talent. Police officers serve such an important function in our society, and to be as effective as possible, they must have dedicated and organized leaders. John has been this and more to DRBA–PD and he leaves behind him big shoes to fill for those that will follow.

A genuine Delawarean through and through, John earned his Bachelor of Science in Criminal Justice from Wilmington University and later his Juris Doctor Degree from Widener University's School of Law. John began his law enforcement career as a patrol officer with the Wilmington Bureau of Police, later moving to the New Castle County Police Department, where he served for 20 years. John worked faithfully and diligently during his years with New Castle County, serving eight of them as Chief of Police. After his retirement from the New Castle County Police Department, John lent his skills to the Delaware State Government, first as Deputy Attorney General and later as Executive Director of the Division of Alcoholic Beverage Control. Some of John's professional affiliations include: both the Delaware and American Bar Associations; the District of Columbia and the Pennsylvania Bar; the U.S. District Courts for Delaware and Pennsylvania; and Life Member, and former Chairman, of the Delaware Police Chief's Council.

John is a dedicated man who has had a very successful career, filled with achievements both impressive and numerous. But John is more than that; he is a loving husband to his wife, Sharen, he is a devoted father and grandfather to his children, Barbara and Darren, his daughter-in-law, Dana, and his grandson, Robbie, and he is a concerned citizen, serving as an Executive Board Member of the Delaware Safety Council. John also served 6 years as a member of the Delaware Army National Guard. I can attest to John's outstanding achievements and his fine character, and today, as he begins a new chapter in his life, I stand to honor and recognize the service he has rendered to both the individual citizens and the collective communities of Delaware. The Delaware River and Bay Authority Police Department's mission is to protect and serve Delaware and New Jersey, and Colonel John McCarnan has been doing exactly that for the past 16 years. I thank him for his service and wish him the best on this momentous occasion.

CALLING FOR A DRAMATIC INCREASE IN ASSISTANCE FOR DEVELOPING COUNTRIES IN FINAL LEGISLATION ON GLOBAL WARMING TO HELP THEM ADJUST TO THE CONSEQUENCES OF CLIMATE CHANGE

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. FALEOMAVAEGA. Madam Speaker, I rise today to urge my colleagues to support a doubling of assistance by developed countries for developing nations in helping them adjust to the impacts of global warming. Increased commitments are essential if we are to achieve a successful international climate change agreement, one that will prevent the most devastating effects of global warming.

Ironically, the poorest and most vulnerable countries are the ones that will suffer the most from rising sea levels, severe weather events and other consequences of climate change—despite the fact that those nations have contributed only negligibly to the problem. U.S. leadership is vital if we are to prod other developed countries to step up to the plate and provide appropriate levels of assistance. And in the aftermath of House passage of the Waxman-Markey cap-and-trade legislation earlier this year, the Senate must now act.

That is why my colleagues—Rep. RAÚL GRIJALVA, Rep. EMANUEL CLEAVER, Rep. MAXINE WATERS, Rep. PETE STARK, Rep. DENNIS MOORE, Del. DONNA CHRISTENSEN and Rep. MICHAEL HONDA—sent a letter today to Sen. JOHN KERRY, the Chairman of the Foreign Relations Committee and leader on climate change legislation in the Senate, urging him to double assistance for developing countries in legislation the Senator is currently drafting. As our letter states, "the amount of funding developed countries are currently promising to developed countries is grossly insufficient to meet the need. . . . Given the magnitude of the problem developing countries face, and given the responsibility of developed countries for the majority of historic greenhouse gas emissions, we believe that U.S. climate change legislation should double the emissions allowances currently dedicated in the House bill to international adaptation and mitigation in developing countries."

Madam Speaker, for the RECORD, I include a full copy of the letter to Senator KERRY.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 15, 2009.

Hon. JOHN F. KERRY,
Chairman, Senate Committee on Foreign Relations, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: We want to commend you for your valuable contributions toward enacting climate change legislation. We particularly appreciate your introduction of S. 2835, which focuses on the countries most vulnerable to the impacts of global warming. We sincerely hope that with that measure as well as the recent pledges by China and India to curb their emissions relative to economic growth, and President Obama's support for mobilizing developed countries to contribute $10 billion a year by 2012 and implementing longer-term mechanisms to assist developing countries with adaptation and mitigation, Copenhagen makes substantial progress toward completion of a binding agreement to limit climate change.

The bill you are working on with the Senators Graham and Lieberman offers a crucial opportunity to advance that agreement. We urge you to include an adequate commitment of resources for the nations and peoples most vulnerable to the consequences of global warming in that legislation.

The needs of developing countries are manifest. As noted by the recent World Development Report 2010, even if average global temperatures rise only 2 degrees Celsius above pre-industrial levels, "Between 100 million and 400 million more people could be at risk of hunger. And 1 billion to 2 billion more people may no longer have enough water to meet their needs . . . It is estimated that developing countries will bear most of the costs of the damages—some 75–80 percent." As the Stern Review made clear, even if greenhouse emissions ceased today, the world would still face at least two decades of increasing global temperatures.

In the very near future, higher temperatures will lead to economic and political instability, refugee crises and conflicts over ever-scarcer natural resources in developing nations, all of which will have direct, negative implications for developing and developed countries alike. That is why the United Nations negotiating blocs of Least Developed Countries and the Alliance of Small Island States (AOSIS)—which together represent 80 countries least responsible for climate change but most severely affected by it—have recently called for a minimum 45 percent reduction of greenhouse gas emissions below 1990 levels by 2020. They are further requesting that there be no more than a 1.5 global temperature rise from pre-industrial levels, and that atmospheric greenhouse gas concentrations return to below 350 parts per million of carbon dioxide equivalent.

As AOSIS has pointed out, " Serious adverse impacts are already being felt by island states at the current 0.8°C of warming, including coastal erosion, flooding, coral bleaching and more frequent and intense extreme weather events. The U.N.'s lead agency on refugees has already warned that some particularly low-lying island states are 'very likely to become entirely uninhabitable'."

Estimates vary on the level of funding needed by the developing world to lessen the destabilizing impacts of climate change that will likely occur regardless of the adoption of an international agreement. However, the UN's latest Human Development Report estimates that additional adaptation finance needs alone will amount to $86 billion annually by 2015. And last week in Copenhagen, Yvo de Boer, Executive Secretary of the United Nations Framework Convention on Climate Change, said that developed countries should expect to contribute $100 billion annually to developing nations.

Yet the amount of funding developed countries are currently promising to developed countries is grossly insufficient to meet the need. The United States must demonstrate leadership if the developed world is to meet its obligation to provide appropriate sums. The Congressional Research Service's calculation of the funding produced by H.R. 2454 for developing countries—based on the current percentage of emissions allowances dedicated to international adaptation and international clean technology deployment and the allowance prices used in the EPA/IGEM Model—suggests that less than $1 billion per year would be available in 2012, rising to less than $1.6 billion by 2020.

Given the magnitude of the problem developing countries face, and given the responsibility of developed countries for the majority of historic greenhouse gas emissions, we believe that U.S. climate change legislation should double the emissions allowances currently dedicated in the House bill to international adaptation and mitigation in developing countries.

While such enhanced allocations would amount to substantial sums of money, we believe they will more than pay for themselves over time when compared to American commitments of troops and resources that would likely be required to address adverse impacts in developing countries affecting vital U.S. interests. As retired Marine Corps General Anthony Zinni, former commander of U.S. Central Command, has noted, "We will pay now to reduce greenhouse gas emissions . . . or we will pay the price later."

Again, we applaud your efforts at addressing the enormous challenge of climate change. As legislation moves toward passage in the Senate, we sincerely hope that it provides increased commitments to the countries and peoples most vulnerable to the consequences of global warming.

Sincerely,

ENI F.H. FALEOMAVAEGA,
Member of Congress.
RAÚL M. GRIJALVA,
Member of Congress.
EMANUEL CLEAVER,
Member of Congress.
MAXINE WATERS,
Member of Congress.
PETE STARK,
Member of Congress.
DENNIS MOORE,
Member of Congress.
DONNA M. CHRISTENSEN,
Member of Congress.
MICHAEL M. HONDA,
Member of Congress.

CONGRATULATING RAPIDES REGIONAL MEDICAL CENTER

HON. RODNEY ALEXANDER

OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 16, 2009

Mr. ALEXANDER. Madam Speaker, today I stand before you proud to announce that the Rapides Regional Medical Center has been named one of the nation's 100 Top Hospitals for cardiovascular care. Moreover, this hospital, located in Alexandria, Louisiana, is the only hospital in Louisiana to make Thomson Reuters' 2009 list.

As a premier teaching hospital, Rapides Regional Medical Center cultivates a community of care. The annual study examines the performance of 971 hospitals by analyzing clinical outcomes for patients diagnosed with heart failure and heart attacks, and for those who received coronary bypass surgery or interventions such as angioplasties.

As noted by the Thompson Reuters Company, "results show these top performers not only provided exceptional inpatient care, but also had significantly better post-discharge outcomes, including lower readmission rates for heart failure and heart attack patients as well as lower 30-day mortality rates for heart attack patients. This means that patients treated in hospitals with balanced high performance in cardiovascular care are more likely to have better results 30 days after discharge."

At a time when our healthcare system is under constant scrutiny by citizens and public servants alike, the team at Rapides Regional Medical Center provides hope and reassurance that in fact, the United States, and Louisiana, offer exceptional care.

I join those whose lives have been touched by Rapids Regional Medical Center in saying congratulations and thank you for the dedication to excellence by each employee and doctor on staff.

IN RECOGNITION OF THE PHOEBUS HIGH SCHOOL FOOTBALL TEAM

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 16, 2009

Mr. SCOTT of Virginia. Madam Speaker, I am honored to rise on behalf of myself, Congressman ROB WITTMAN and Congressman GLENN NYE to call attention to a group of young students from Hampton, Virginia, who have once again distinguished themselves, their school, their community and the Commonwealth of Virginia.

For the second consecutive year, the Phoebus High School Phantoms football team had a remarkable season. On December 12, the Phoebus High School Phantoms won their fifth state football championship this decade, defeating Stone Bridge High School of Ashburn 15–10, at Scott Stadium in Charlottesville, Virginia.

Taking over from coach Bill Dee, new head coach Stan Sexton led the Phantoms another 15–0 season. Their winning streak now stands at 30 wins. No other Group AAA school has won back-to-back championships since Phoebus did it in 2001 and 2002; now Phoebus has done it again. This has truly been Phoebus' decade in football, having won five state championships this decade with a record of 120–12 (.909). No other AAA school has won more than 102 games. This latest championship is just another accolade for the City of Hampton's youngest school, founded in 1975.

Phoebus High's legacy of excellence is not limited to just the field of athletics. Under the Direction of Principal Robert Johnson, the Phoebus faculty seeks to inspire students to strive for excellence and achievement in the classroom, in their extracurricular activities and in their communities. Phoebus has two innovative programs that expand the learning experience outside of the traditional classroom. Phoebus hosts the Hampton School Division's Center for High Technology. This magnet career academy includes classes in pre-engineering, design and 2 drafting, and Cisco network administration, preparing students for college classes and jobs in the technology sector. Phoebus is also home to the Blue Phantom Inn. This student-run restaurant gives students an opportunity to develop their culinary arts skills, and was nationally recognized in Southern Living magazine.

The Phantom's excellence in football is also characteristic of the quality of athletics in the Peninsula District of Virginia. Phoebus High School's championship this year marked the 11th time in the last fifteen years that a Peninsula District team has won a state title in football. To quote from our hometown newspaper, the Daily Press, ''High school football on the Peninsula is championship football.''

We would like to extend our enthusiastic congratulations to Coach Stan Sexton, his coaching staff and all of the players on the Phoebus High School Phantoms, the 2008 and 2009 Group AAA Division 5 Virginia High School League state football champions.

ON THE RETIREMENT OF DAVE LAUGHTER

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to recognize the service of a valued staff member of the House Committee on Science and Technology, David Laughter, on his retirement.

Dave has served as Financial Administrator for the Committee since 2001. He has been on the Hill since 1994, working for the House Committee on Ways and Means and Congressman DAN BURTON of Indiana. Before coming to the Hill, he served as the Deputy Administrator for Management and Policy Support for the United States Department of Agriculture, USD; Rural Electrification Administration, REA; and as the Vice President/General Manager for an OEM manufacturer supplying large sheet metal stamping dies and special machinery to domestic and transplant auto assembly plants in North America.

Dave received his B.A. in Economics from Hillsdale College in Michigan. He is from Dayton, and, as a native Ohioan, he has a special place in his heart for the Bengals, the Reds, and Skyline Chili.

Madam Speaker, Dave is the first person new employees meet on their first day, and the last person they see when they are leaving on their last day. Dave handles all the Committee staff benefits and payroll, he maintains our budget to ensure we're on track, and he makes sure that all our bills get paid. Dave has provided a steady hand on the Committee's financial tiller for these past 8 years, and I want him to know how much I appreciate his hard work.

I know Dave has wrestled with this decision, and while I don't expect him to turn into a ''Nature Boy,'' I'm sure he's looking forward to having a little more time to pursue his other hobbies and interests.

I know that all of the Science and Technology Committee's members and staff wish him well. He'll have more time to spend with his lovely wife, Marsha, his children, Carrie, David, and Brittany, his grandchildren Peter and Meredith, and his other family and friends. We hope Dave enjoys a relaxing retirement filled with fishing, grilling, and listening to classic rock.

Dave, thank you again for your years of service.

HONORING WILLIAM H. CASSIDY

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MICHAUD. Madam Speaker, I rise today to recognize the accomplishments of William H. Cassidy of Calais, Maine.

A native of Calais, Bill has dedicated himself to public education for the past 36 years, serving as president of Washington County Community College since 2003. Under his strong leadership, the college added new academic programs, undertook significant capital improvements and formed new partnerships with many other universities and colleges in Maine and New Brunswick, Canada.

He has previously served in a number of senior administrative posts within the Maine Community College System as an associate commissioner within the Maine Department of Education, director of the Waterville Regional Vocational Center, and a teacher at the middle, high school, and college levels.

An accomplished academic, Bill holds credentials from Northern Maine Technical College, the University of Maine at Machias, Husson College, the University of Maine and Nova Southeastern University. Bill has been recognized for his achievements and leadership in collaborative international education, receiving the Lady Dunn Award of Excellence by the St. Andrews Campus of the New Brunswick Community College. Most importantly, Bill has left a lasting mark at Washington County Community College with his emphasis on volunteerism and the role of the college in the life of the local community.

Madam Speaker, please join me in honoring William H. Cassidy for his life-long dedication and service to his community and the education of Maine's students.

IN HONOR OF MR. MARVIN N. SCHOENHALS

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to pay tribute to Mr. Marvin N. Schoenhals, former Chairman of the Wilmington Savings Fund Society (WSFS). Mr. Schoenhals, through his leadership, hard work and dedication, has accomplished a great deal for the state of Delaware, and I am honored to recognize him for his achievements, both personal and professional.

Skip joined WSFS in 1990 as President and Chief Executive Officer of both WSFS Financial Corporation and its principal subsidiary, Wilmington Savings Fund Society, located in Wilmington, Delaware. He was named Chairman in 1992 and served in this capacity until November 1, 2009, when Skip assumed the role of non-employee director. Skip's nearly 20 years as WSFS Chairman are marked by many noteworthy accomplishments; during his tenure, Skip led the $3.6 billion financial services company to world class service levels and significantly increased shareholder value.

But Skip's impact on others is not limited solely to his professional career. He is a role model for others and is actively involved in his community, lending his knowledge and expertise to worthy causes and organizations. Skip is Chairman of Vision 2015, a coalition of Delaware leaders working towards making Delaware's public education the best in the world. He serves on, and from 2003 to 2004 was Chairman of, the Board of Directors of the Delaware State Chamber of Commerce and is also a member of the Delaware Business Roundtable, Chairman of its Education Committee, and a Trustee, and former Chairman, of the Delaware Public Policy Institute.

A cause very dear to Skip's heart is the Sunday Breakfast Mission, our state's largest shelter and rehabilitation facility. Each fall, WSFS partners with the Sunday Breakfast Mission to sponsor the Great Thanksgiving Food Drive, and, as Chairman of the Mission, Skip spearheads the effort, working diligently on behalf of his fellow Delawareans. With Skip's direct involvement in this initiative, the drive has experienced exponential growth, collecting a total of 37 tons of food for 2008. In 2009, Skip was awarded the Delaware State Chamber's Josiah Marvel Cup. This distinguished award is given annually in recognition of outstanding contributions made to the state, community and society; I applaud the Chamber's selection of Skip for this recognition and can say without hesitation that the honor which has been bestowed upon him is one he most truly deserves.

Skip's career in the financial industry has been nothing short of exemplary, and anyone that knows Skip knows that he is, and no doubt will remain, very active in his many professional, business, community, and advisory

organizations. Moreover, Skip is truly a great guy—dedicated to his wife, Linda, and to his church. Today, I commend Mr. Marvin N. Schoenhals for the service which he has rendered our state as not only Chairman of WSFS, but as a caring and devoted member of our society. In recognition of his tireless dedication and immeasurable contributions, I thank Skip and offer my best wishes on this momentous occasion.

CAPTAIN BOB BERNAZAL

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. POE of Texas. Madam Speaker, in July of 2008, a courageous mission was undertaken to rescue 15 hostages who were being held by the Revolutionary Armed Forces of Colombia, known as FARC. Three of these hostages were American civilians. The operation was code named, Operation Willing Spirit, a perfect description of the valor demonstrated by all of the rescuers involved. Captain Bob Bernazal, a Kingwood, Texas native, was especially vital to the success of the operation in his role as the Information Operations Integration Strategy Division chief of the 612th Air Operations Center.

Captain Bernazal's ability and dedication was clearly shown through his comprehensive planning of Operation Willing Spirit. The nine-year Air Force veteran has proved a fine example of the aptitude of our Armed Forces by ensuring mission success.

He is praised by his superiors as an outstanding Information Operations expert, and is recognized for the development and implementation of a plan for utilizing IO duty officers. We are fortunate to have great men like Capt. Bob Bernazal at our side to outwit our enemies and protect our nation.

It is with great pride and admiration that the Second District of Texas is able to commend Captain Bernazal as the Air Force-level Outstanding Information Operations Active Duty Company Grade Officer of the Year. This Kingwood, Texas native is truly deserving of this award as well as the respect of our nation. We thank him for his service. He is a great Texan and a true hero.

RECOGNIZING JUDGE CHARLES FOLEY

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. WITTMAN. Madam Speaker, I rise today to recognize Judge Charles Foley on the occasion of his retirement from the bench of the General District Court. Since 1986, Judge Foley has faithfully served the 20th Judicial District which includes the counties of Fauquier, Rappahannock and Loudoun in Virginia.

Judge Foley was born in Richmond, Virginia and in 1968 he married Ms. Janice Foley, with whom he has two children, Page and James. Judge Foley graduated from the University of Richmond in 1968 with a Bachelor of Science in Business Administration.

In 1971, Judge Foley received his Juris Doctor from the T.C. Williams School of Law at the University of Richmond where he was the President of Phi Delta Theta legal fraternity. From there he moved into private practice until 1974 when he was elected Commonwealth's Attorney for Fauquier County Virginia.

Judge Foley served as a Commonwealth Attorney for 12 years until 1986 when he was appointed to the General District Court for the 20th Judicial District where he has served for the past 23 years.

All of his life, Judge Foley has been a positive influence on his community and his profession. In addition to being a founding member of the Young Lawyers Conference of the Virginia State Bar, he coached Youth baseball, basketball and soccer for 15 years. He also served as a board member, and later, as President of the Board of Directors of Fauquier Hospital, Inc. He has been a member of the American Judges Association as well as the Warrenton Fauquier Jaycees.

I continue to be impressed by Judge Foley's selfless contributions to his community in an effort to enrich those lives around him. I urge my colleagues to join me in congratulating Judge Charles Foley on his retirement from 36 years of public service.

PERSONAL EXPLANATION

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. LARSEN of Washington. Madam Speaker, I request that for rollcall vote #963, the Marshall Amendment to H.R. 4173, I inadvertently voted "no" but I intended to vote "aye."

IN RECOGNITION OF THE VILLAGE OF TINLEY PARK, IL

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mrs. HALVORSON. Madam Speaker, today I rise to recognize the Village of Tinley Park in Illinois, which was recently named "America's Best Place to Raise Your Kids" by Business Week Magazine. The village was recognized primarily for its top-rated schools, low crime, beautiful parks, affordable housing, and easy access to jobs.

Founded in 1892, Tinley Park rests just a Metra ride from the city of Chicago, and a short drive from Illinois' vast farmlands. Established on the Rock Island Railroad, Tinley Park grew over the years through both agricultural industries, including a grain elevator and a windmill, and manufacturing plants, including a soft-drink bottling plant. The population grew slowly prior to World War II; however, it grew rapidly after the war, doubling every decade from 1950 to 1980.

In recent years Tinley Park has grown in recognition, with all three main high schools ranking among the top 100 in the state. Students of Andrew High School help at neighborhood shelters, libraries, and nursing homes through a requirement they complete 24 hours of community service. This requirement keeps the students closely tied to their community and, as a result, only three percent of the student body of 2,400 move away during high school, compared with the state average of 14 percent. Tinley Park is also home to many exceptional citizens, including Olympic swimmer Christine Magnuson and former Major League Baseball player Kevin Sefcik.

IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009

SPEECH OF

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2009

Ms. KILPATRICK of Michigan. Madam Speaker, yesterday, the U.S. House of Representatives voted and passed H.R. 2491, the Iran Refined Petroleum Sanctions Act. While Iran has been noncompliant with both United States and United Nations demands that it stop nuclear enrichment efforts, I could not, in good faith, support this initiative. My vote of "present" on this measure should not be interpreted nor misunderstood about a lack of concern regarding the prospect of a nuclear armed Iran. It does not.

Like many of my colleagues, I have significant reservations regarding Iran's violations of its obligations under the Nuclear Non-Proliferation Treaty. The recent rejection by Iran of international organizations to inspect their nuclear capabilities and the threat of expanded nuclear enrichment programs continuing unchecked practically mandate that Congress and President Obama continue to work together. This combined effort must be toward increasing pressure on Iran if multilateral diplomacy reaches no reward. Congress must support President Obama's diplomatic efforts to help curb Iran's activities relating to their nuclear program. Congress must also support this administration's efforts to guarantee human rights and democracy for all people, especially women, in Iran. Congress must continue to forge with the President an all-out effort for diplomacy that is often difficult, but necessary.

H.R. 2491, as enacted, could very well threaten the diplomacy sought by the President. If enacted, the bill could punish the people of Iran who are suffering from its denial of democracy. Over the past few months, we have seen firsthand the discontent amongst Iranians with their government. As a nation, we have a responsibility to ensure that our policy decisions, particularly sanctions, are implemented in a manner which does not detrimentally impact those not at fault. Broad, wide-reaching sanctions on gasoline will not only hit the people of Iran the hardest, but are unlikely to directly impact the government at all. I am not against sanctions. In fact, I think sanctions in light of Iran's dissonance are not only appropriate but needed. However, targeted sanctions that impact those with whom we are at odds versus those that target an entire country are the best way to approach such an important decision.

While it is essential to curtail nuclear threats world-wide, sanctions must be seen as an option only after diplomacy has failed. In his letter to the Senate Foreign Relations Committee last week, Deputy Secretary of State James

Steinberg stated that the Obama Administration was ''entering a critical period of intense diplomacy to impose significant international pressure on Iran,'' and that sanctions, ''might weaken rather than strengthen international unity and support for our efforts.'' As we proceed in these important times, we must do so carefully, and in a manner that achieves the desired short-termed effect while remaining in accord with our long-term goals.

The decision whether to levy sanctions, particularly in the face of potential threat to peace, is of the utmost importance. Today, H.R. 2194 was brought to the floor under expedited procedures that limit debate and bar amendments reserved for non-controversial legislation. While the bill received overwhelming support, it does not make the subject matter any less controversial.

Iran has had decades of unilateral measures with practically no effect. In order for any sanctions to fully take effect, it must be multilateral. The unilateral approach of this legislation, combined with the potential unintended consequence it may have for the people, and the legislation's curtailing the waiver authority of President Obama so as to undermine the President's flexibility and pursuit of a dual track of diplomacy and unified multilateral pressure, are my reasons for my vote of present on this measure.

I look forward to working with my colleagues to improve this legislation. My goal is to ensure that any sanction bill, signed into law, protects the interests of the United States, ensures that the President can negotiate from a position of strength along our international partners, ensures that human rights and democracy grow for the people of Iran, and prevents another nation from being armed with nuclear weapons.

TRIBUTE TO THE CINCINNATI URSULINE ACADEMY GIRLS VOLLEYBALL TEAM

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mrs. SCHMIDT. Madam Speaker, I rise today to congratulate the Cincinnati Ursuline Academy Girls Volleyball Team on winning the Division I Ohio High School Athletic Association State Championship. This is Ursuline's fourth state championship in volleyball. Ursuline Academy also won state titles in 1975, 1993, and 2002.

After a heartbreaking loss in last year's state championship game the young women of Ursuline entered the new season determined as ever to make the sacrifices needed to win this year's title.

At Wright State University's Nutter Center the Lions prevailed in the championship game over an undefeated Dublin Coffman in four sets. Impressively, Ursuline never trailed the match until the third set. The Lions were led by senior Jade Henderson of Loveland with 18 kills and by senior Dani Reinert of Symmes Township with 48 assists.

Under the direction of Head Coach Jeni Case, Ursuline finished the season with a perfect record of 29–0. Additionally, the Lions captured the Girls' Greater Cincinnati League Championship for the second straight season.

Madam Speaker, please join me in congratulating Ursuline Academy on yet another State Championship. Go Lions.

WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2009

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes:

Ms. MCCOLLUM. Madam Speaker, I rise in strong support of the Wall Street Reform and Consumer Protection Act (H.R. 4173). This legislation will finally bring accountability to big banks and ensure families are protected from high-stakes Wall Street speculation. I thank Chairman FRANK, the House Leadership, and all of my colleagues who have worked to shape this important legislation.

It was one year ago that our country's financial system stood on the brink of collapse. The failure of large financial institutions such as Bear Steams and Lehman Brothers quickly led to sinking home prices, a collapse in retirement savings, and job losses on a scale not seen since the Great Depression. Today this Congress faces a choice. We can cling to the failed policies of lax regulation that nearly drove our economy off a cliff, or take decisive action to prevent another crisis of this proportion by passing H.R. 4173.

This legislation combines eight separate reform measures into one comprehensive package. H.R. 4173 establishes a new Consumer Financial Protection Agency to protect Americans from unfair and abusive financial practices and to bring needed transparency and accountability to the financial system. It regulates the exotic debt instruments that contributed to the unraveling of our financial markets. And this bill reigns in Wall Street excess by banning egregiously high executive bonuses and giving shareholders input on executive compensation.

In addition, H.R. 4173 will put an end to ''too big to fail'' financial firms. American taxpayers should never again be called upon to rescue large financial institutions because their failure threatens to bring down the entire financial system. This legislation creates a Dissolution Fund, paid for by the industry, which would be used to dismantle failing financial institutions in an orderly manner and without taxpayer assistance.

The Wall Street Reform and Consumer Protection Act is vital to our economic security because it will restore confidence in our financial system—an essential step toward rebuilding our economy. Although this bill is not perfect, my constituents and all citizens across the nation should recognize H.R. 4173 as a tremendous step in the right direction.

Once again, I thank Chairman FRANK for his leadership and I urge my colleagues to join me in supporting this important legislation.

CONGRATULATING THE JOLIET ARSENAL DEVELOPMENT AUTHORITY FOR BEING NAMED THE 2009 BASE REDEVELOPMENT COMMUNITY OF THE YEAR

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mrs. HALVORSON. Madam Speaker, today I rise to recognize the Joliet Arsenal Development Authority (JADA) for being named the 2009 Base Redevelopment Community of the Year by the Association of Defense Communities. I join the Association of Defense Communities in honoring JADA for bringing permanent jobs and revenue to the community in an environmentally friendly manner.

JADA was created in 1995, after Congress passed legislation allowing the former Army munitions facility in Joliet, IL, to be redeveloped with a transfer of ownership. The site has been developed into the largest intermodal facility in the Nation. An intermodal involves the transportation of freight in a container or vehicle, using multiple modes of transportation without any handling of the freight itself when changing modes. The development of the 3,000-acre site has already created 2,000 permanent jobs with approximately $150 million in annual wages. A portion of the site will be devoted to a state-of-the-art facility engineering training facility for the development of a range of engineering skills. There remains enormous potential to create many additional high-paying manufacturing and engineering jobs at this site.

Throughout the process of this redevelopment, special attention has been devoted to mitigating the environmental impacts of ammunitions waste on the site. A dozen public and private agencies worked to clean up the site and provide quality groundwater and soil. They finished this important work last year, three years ahead of schedule.

Will County and the Joliet area have greatly benefited from the efforts of the Joliet Arsenal Development Authority. It comes as no surprise JADA is being recognized on the national stage as a leader in redevelopment.

HONORING PAMELA THOMPSON

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MICHAUD. Madam Speaker, I rise today to recognize the accomplishments of Pamela Thompson.

Pamela has been selected to receive the Presidential Awards for Excellence in Mathematics & Science Teaching. This prestigious award distinguishes Pamela as one of the best elementary school science teachers in the nation.

Pamela has been hailed for her enthusiasm, knowledge and ability to instill a love of learning in her students over her 27 dedicated years of teaching the students of Madison, as well as her contributions to Maine's overall education system.

An exceptional science teacher, Pamela constantly seeks methods to enrich her students' grasp of complex ideas. She is commended for deepening her own understanding

of science, learning and applying the best instructions and strategies available. Most importantly, Pamela listens intently to the needs of her students and shares her awareness with colleagues.

Pamela is also credited with leading Maine School Administrative District 59's success in obtaining and implementing two consecutive science grants from the Maine Mathematics and Science Alliance. She has served on the Leadership Design Team since its inception in 2004, spearheading the integration of formative assessment probes, new science literature and science notebooks in a program that provides science kits to kindergarten through fifth grade classes. She piloted the new strategies developed under the grants and shared her successes with the K–12 Science Design Team, which led to the creation of a professional development plan for the entire district science staff.

Madam Speaker, please join me in honoring Pamela Thompson for her life-long dedication and service to her community and the education of Maine's students.

HONORING THE BOURBON COUNTY HIGH SCHOOL BAND FOR WINNING CLASS A CHAMPION IN THE BANDS OF AMERICA NATIONAL COMPETITION

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. CHANDLER. Madam Speaker, I rise today to recognize the accomplishments of a special group of students in my congressional district. In November, the Bourbon County High School Marching Colonels became Class A champion at the prestigious Bands of America Grand Nationals competition for the second year in a row, placing first out of 91 marching bands from across the nation. I am proud to be able to address the accomplishments of such a talented group of students who are more than deserving of our recognition.

The Bourbon County High School Band, led by directors Eric and Nadine Hale and Kevin Akers, has enjoyed great success recently. In addition to their national championship—a prize considered to be the most prestigious award a marching band can win—they won the Class AAA title at the Kentucky Music Educators' Association championship just one week earlier. At the national championship, the 80-member band had the honor of performing for 25,000 people at Lucas Oil Stadium in Indianapolis. Winning one championship would be quite an accomplishment for any band, but that the Bourbon County Band has now won back-to-back national titles shows just how talented this group of young men and women is.

Madam Speaker, the Bourbon County Marching Colonels' unprecedented success is truly deserving of praise and recognition. I believe that educating our young adults in music and the arts is important in continuing to foster our great American culture, and it is with great pride that I rise today to acknowledge the successes of these extremely talented and accomplished young men and women.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 3326, the ''Department of Defense Appropriations Act, FY2010.''

Requesting Member: Congressman JOHN DUNCAN

Account: OP—Army

Project Amount: $5,000,000

Legal Name of Requesting Entity: TN Army National Guard, Houston Barracks, 3041 Sidco Drive, Nashville, Tennessee 37204

Description of Request: The funding would be used to allow Army National Guard trainers (both fielded and yet-to-be procured) to network together on a Combined Arms virtual battlefield.

TRIBUTE TO MR. JAMES B. FARR

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. BERMAN. Madam Speaker, on December 31, 2009, the House of Representatives will lose one of its most senior and valuable staff members—Mr. James B. Farr. Jim will be retiring after 38 years of service in the House of Representatives, during which time he served on the Committee on the Judiciary and, most recently, the Committee on Foreign Affairs, where he is the Financial Clerk.

Thirty nine years ago, as a young man from southern Maryland, Jim decided to leave the tobacco farm founded by his grandfather and seek a job on Capitol Hill. This was quite an adventure for a country boy who had grown up tilling the land. Proudly, the farm is still in the family, but no longer grows tobacco.

Following his graduation from Prince George's Community College with a degree in personnel and business management, Jim headed for Washington, D.C., where he landed on the doorstep of Congressman Emanuel Celler from Brooklyn and Queens, New York, the longtime former Chairman of the House Judiciary Committee. Jim was hired by Mrs. Dick, the Staff Director of the Committee, and began working as a clerk in the publications office where he sorted mail, answered the phones, referred bills and assisted in hearing preparation. It was shortly after his arrival on the Hill that he met his future wife, Christine Lynn Wills, who had moved to the Washington, D.C., area from West Virginia. Christine Lynn and Jim have been married for 31 years and have two lovely daughters—Michelle and Jennifer.

Jim's career on the Hill also progressed. In February 1973, he became the Judiciary Committee's publications clerk, where he was responsible for maintaining the Committee's documents. Three years later, Jim was promoted to be the Committee's financial clerk where, under the guidance of the Committee Chairman, he prepared, maintained and oversaw the Committee's budget. Jim was so talented, and his services so highly prized, that he was retained by Chairmen Peter Rodino, Jack Brooks and Henry Hyde. In 2001, when the late Rep. Hyde became Chairman of what was then known as the House International Relations Committee, he asked Jim to move with him and serve as financial clerk for that Committee. There, Jim once again became an indispensable figure, helping to ensure the smooth functioning of the Committee and easing the transition to the late Chairman Tom Lantos and, subsequently, to me.

Mr. Farr has served the Congress under both Democratic and Republican leadership with great distinction and integrity. His service epitomizes the finest qualities of government service. We are all grateful for that service and for the example he has provided to generations of new committee staff whom he has mentored. He will now retire and spend more time with his family and more time on the farm, where third and fourth generations of the Farr family now reside. Thankfully, despite his years of dedicated and impressive service, Jim wears his years easily, and we wish him much good will as he pursues his favorite hobbies of boating, fishing, and hunting.

Good luck and thank you Jim from a grateful House of Representatives.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. YOUNG of Alaska. 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. 3288, the Departments of Transportation, HUD, and Related Agencies Appropriations Act, 2010.

Project Name: Maniilaq Association in Kotzebue, AK, for establishing a cancer treatment center

Bill Number: H.R. 3288

Legal Name and address of entity receiving earmark: Maniilaq Association, P.O. Box 256, Kotzebue, AK 99752

Description of how the money will be spent and why the use of federal taxpayer funding is justified: There are high rates of cancer among AK Natives and a cancer center located in rural Alaska would allow for screenings, early detection and local treatment.

Appropriated Amount: $500,000

Detailed Finance Plan: Equipment $500,000

Project Name: Denali Commission in Anchorage, AK, to support health projects and economic development activities for the arctic region

Bill Number: H.R. 3288

Legal Name and address of entity receiving earmark: Denali Commission, 510 L Street, Suite 410, Anchorage, AK 99501

Description of how the money will be spent and why the use of federal taxpayer funding is justified: The funding would be used to support health projects and economic development activities for the arctic region under the Denali Commission Act of 1998.

Appropriated Amount: $10,000,000

Detailed Finance Plan: Programming $10,000,000

THIS HANUKKAH—IN HONOR OF ALL OUR ARMED FORCES AND THEIR FAMILIES THIS HANUKKAH

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. MEEK of Florida. Madam Speaker, I rise today with a poetic tribute in honor of our magnificent Armed Forces and their splendid families this Hanukkah, and holiday season. And for all of the ones who are so separated by the miles so very far across the shores. Our hearts, especially go out to all of those families who have lost their greatest loves of all, in the defense of our Nation. And to all of those recovering from the grave wounds of war we pray for their speedy recovery. Bless them all! I ask that this poem penned by Albert Caswell be placed in the RECORD in honor of them as follows:

THIS HANUKKAH

This Hanukkah . . .
As the family gathers round . . .
All in This Festival of Lights to be found . . .
All in this time of remembrance, as described in the Talmud of long . . . long ago . . .
With eights days of light and remembrance, of events so miraculous so . . .
As the children dance with songs of joy, and the love of your family grows . . .
Reciting Hallel prayer, and the games, as the Dreidels spin there so . . .
We should also remember, this other miracle of all of those . . .
THE MIRACLE OF OUR ARMED FORCES, SELFLESSNESS SO!
Of All Those families! Those Patriots of Peace, of all of these . . .
The ones, who will not together be . . .
Who upon battlefields of honor fight . . .
So far away from our Country Tis of Thee, on this night . . .
Men and Women of honor bright, who for all of us so carry on that fight . . .
Who live with such heartache and death, as on each new day our lives they bless . . .
And all of those ones, whose greatest of all loves . . . now lie in soft quiet graves . . .
Precious Daughters and Sons, Husbands and Wives . . .
Brother and Sisters, Fathers and Mothers who gave . . .
The greatest of gifts, That Last Full Measure . . . as did they!
Whose loved ones pain, can not be healed by time . . . nor so divided this day . . .
As on this joist holiday season, they sit with tears in eyes do they . . .
With one less place at the dinner table set . . . with all of this grieving so yet!
And all of those who have come home, without arms and legs . . .
Inspiring us with their courage they!
Blessing us all, but with all those fine gifts of selflessness conveyed!
Making us all so see, just how magnificent and inspiring a heart can be!
And all of those who have loved ones, far across the shores . . .
As each new day, but brings to them such great worry so for sure . . .
But, waiting . . . but waiting for, that dreaded knock on the door . . .
That phone call, that they so now pray not for . . .
Quiet Heroes, one and all!
Watching them from Heaven, The Angel's tear drops fall . . .
Lord God, Lord God . . . Bless Them . . . Bless Them All!
For So Many, So Few Have But Paid The Cost!
So bore the burden, so carry that cross! That cross of war!
This Hanukkah, as you hold your families tight . . . and all seems so very right . . .
As you see all those smiles on your children's faces, as these sacred nights races . . .
Give thanks, Give praise . . . as upon your knees you pray . . .
For all of those families, whose sacrifice . . . the blessings of freedom, they gave!
On This Hanukkah, in this The Kindling . . . as each new candle you light . . .
Eight days of prayer and gratitude, in this joist Festival of Lights . . .
A time for families to celebrate, to remember how miracles can burn so bright . . .
Remembering too, our Armed Forces miracles of sacrifice . . .
This Hanukkah!

THE SKYLINE SPARTANS

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. REICHERT. Madam Speaker, today I rise in recognition of a high school football program located in my District—the 8th of Washington—that won the 4A State title on Saturday, December 5, their third in a row.

The Skyline Spartans (12–2), located in Sammamish, Washington—and competing in the KingCo 4A League, Crest Division—defeated the Ferris Saxons, 45–21 at the Tacoma Dome to win the 2009 State 4A Championship. The win marked the third straight State title win for Skyline. I offer my congratulations to the entire team and team captains Anthony De Matteo, Cooper Pelluer, Jake Heaps, Jase Butorac and Tommy Aarts.

I also want to thank head coach Mat Taylor and his assistant coaches, Steve Chmiel, Tom Collins, Jeff Johnson, Bruce Hasson, Kyle Snell, Ryan Thorsen, Brett VanVoorhis and Evan Flay for providing wonderful examples for their players and dedicating many hours to the teaching and training of a group of talented young athletes. Our communities and our young people are better off with the influence you provide. Thank you for your service.

Congratulations and thanks also go out to Principal Lisa Hechtman, Athletic Director Kevin Rohrich and all the teachers at Skyline. Enjoy another football championship and know that your community, your students and your student-athletes all appreciate your efforts and sacrifices. Go Spartans!

IN HONOR OF MS. KAREN NESBIT

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. RYAN of Wisconsin. Madam Speaker, I would like to take this opportunity to recognize and congratulate Ms. Karen Nesbit of Franklin, Wisconsin. Ms. Nesbit was recently awarded the 2008 Presidential Award for Excellence in Mathematics and Science Teaching. The Presidential Award for Excellence in Mathematics and Science Teaching Program recognizes outstanding teachers across the country for their contributions to the academic and personal development of students in science and mathematics.

Ms. Nesbit has been an educator for 23 years. She has taught in the Franklin Public School District since 1990, and currently teaches first grade at Pleasant View Elementary School. The education of our youth is very important to the continued success of our communities and our country. It is through the dedication of teachers such as Ms. Nesbit that students and are well-equipped with the knowledge and skills they need for their future.

On behalf of those I represent in the 1st District of Wisconsin, I extend my gratitude and congratulations to Ms. Karen Nesbit.

FIRST FLIGHT OF THE 787 DREAMLINER

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. INSLEE. Madam Speaker, I want to recognize the Boeing Co. on their first flight of the 787 Dreamliner. This successful flight marks an important milestone in the development of the 787 Dreamliner, and represents the collective efforts and hard work of everyone at the Boeing Company, particularly the dedicated Boeing employees who live in my district. The 787 Dreamliner is airplane that is not only much more efficient than any other airplane on the market, but also represents a new generation of technologically advanced commercial airplanes that will change the future of commercial aviation.

SPIRIT OF TOURISM AWARDS

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. RAHALL. Madam Speaker, I rise today to offer congratulations to several of West Virginia's most dedicated and hardworking individuals. On December 1, 2009, several individuals were honored for their role in enhancing tourism to Greenbrier County when the Greenbrier County Convention and Visitors Bureau (CVB) presented their fourth annual Spirit of Tourism Awards.

The Greenbrier County CVB presented four awards to honor people who have made a difference in the local economy through enhancing local tourism. The Spirit of Tourism Awards recognize residents that have made a significant impact on the tourism industry in the areas of tourism development, volunteerism, securing a convention or meeting to the area, and excelling at partnering with the Greenbrier County CVB.

This year's Greenbrier Award recipient was awarded to Jim Justice for his hard work and dedication since his purchase of 'The Greenbrier' earlier this year. Mr. Justice has

made significant developments since then with the development of a new restaurant, Prime 44, The Tavern Casino, and the announcement of the new PGA Tour 'The Greenbrier Classic'. Mr. Justice has worked hard to improve 'The Greenbrier' all the while increasing tourism to the county and state.

Russell Williams and Annamarie Visclosky were this year's recipients of the Greenbrier County Ambassador Award, which honors those who have assisted the tourism community by going above and beyond the call of duty. Mr. Williams and Ms. Visclosky have spearheaded a number of impressive activities in the community, including the Lewisburg Chocolate Festival, Carnegie Hall's Taste of Our Towns, and the Rhythm and Blues Festival.

The State Fair of West Virginia was named as this year's recipient of the Hometown Hero Award, which recognizes an individual or group that has gone above the call of duty in securing conferences or meetings in Greenbrier County. Board Member Kathryn Tuckwiller accepted the award of behalf of the State Fair of West Virginia.

The Friend of Tourism Award is chosen by the Convention and Visitors Bureau to recognize an individual or group that has excelled in promoting tourism in partnership with the Bureau. This year's winner was Brier Properties which was recognized for their significant hotel development in the area and their outstanding willingness to partner with the Greenbrier County CVB in marketing initiatives.

Madam Speaker, I ask that my distinguished colleagues join me in congratulating the winners of this year's Spirit of Tourism Awards who have contributed in unique ways to the growth and development of the economy in the Third Congressional District of West Virginia—a district that I am very proud to represent here in Washington, DC.

HONORING A.C. REYNOLDS HIGH SCHOOL FOR THEIR VICTORY AT THE NORTH CAROLINA STATE FOOTBALL CHAMPIONSHIP

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHULER. Madam Speaker, I rise today to honor the recent accomplishments of the A.C. Reynolds High School football team, the Rockets.

On Saturday, December 12, the Rockets won the North Carolina 4–A State Football Championship against Hartnett Central High School, with a score of 14–13. They finished the season with a record of fourteen wins and only two losses. A.C. Reynolds is the first high school in the history of Buncombe County to win three State High School Football Championships in 1999, 2002 and 2009.

I especially wish to congratulate A.C. Reynolds Head Football Coach, Shane Laws. I know from experience that teams do not rise to this level of success without a strong coach. It takes a great leader to instill the determination and work ethic that lead to victories on the football field.

The A.C. Reynolds Rockets Football team is known throughout the mountain area for their strong defense. This season's championship and stellar defensive play only continue that legacy. These young men have well represented the mountains of Western North Carolina throughout their drive to this year's State Football Championship. It is my privilege to recognize their accomplishments today in this chamber.

Madam Speaker, I ask my colleagues to join me in expressing our congratulations to this group of young men and their coaches for their accomplishments on the football field this season.

REINTRODUCTION OF THE REVITALIZING CITIES THROUGH PARKS ENHANCEMENT (RECIPE) ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mrs. MALONEY. Madam Speaker, I strongly believe that open spaces and community parks are a critical part of urban infrastructure. That's why today I am reintroducing the Revitalizing Cities Through Parks Enhancement (RECIPE) Act, that would establish a $10 million grant program for qualified, non-profit, community groups, allowing them to lease municipally owned vacant lots and transform these areas into parks. Parks and gardens created with the grants will not only provide safe places to gather, but will increase property values as well. The grants will be available from the Secretary of Housing and Urban Development to groups who have met standards of financial security, and who have histories of serving their communities. To further ensure that these grants are used to make lasting positive changes, land improved and made into open community space under this legislation must be available for use as open space from the local government for at least seven years.

CONGRATULATING THE SOUTH JOHNSTON HIGH SCHOOL 2009 VARSITY FOOTBALL TEAM

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. ETHERIDGE. Madam Speaker, I rise to ay to congratulate the South Johnston High School Trojans football team in Four Oaks, North Carolina for a historic season and trip to the 3–AA North

Carolina High School Athletic Association State Championship football game this past Saturday, December 12, 2009 at Kenan Stadium in Chapel Hill. South Johnston finished the season with an impressive record of 14 and 2 and were the 2009 Conference and 3–AA Regional Champions. This is the third conference title for South Johnston, the first ever appearance in the third round of Regionals and the school's first trip to the State Finals.

I am extremely proud of the dedication, determination, sportsmanship, and discipline of this talented football team. The members of the 2009 team are to be commended for their drive and perseverance. They include Dee Williams, Brandon Bussiere, Willie Jefferson, Brandon Beasley, Dan Atkins, Alex Barbour, Vivek Patel, Justin Sanders, Jim Abdalla, Anthony Crumity, Shawn Williams, Blake Ingram, Shaun Write, Josh Barbour, Matt McClendon, Rohelio Morales, Mitch McLamb, Marcus Faison, Aaron Anderson, Unek Lloyd, Matt Stanley, RonJonek Gill, Dan Stanley, John Jefferies, Javonte Burns, Woody Thornton, Johntavious Chrisp, Jon Farmer, Tyler Benson, Devon Smith, Pat Dunigan, Stacy Thornton, Mike Purvis, Erasto Simmons, Jovonte Cox, Trevor Beasley, Adam Hockaday, and Tyvon Small.

South Johnston Head Coach Joe Salas and his great team of assistant coaches worked tirelessly behind the scenes and are the architects of the behind the team's success.

I am proud to have the honor of representing this outstanding high school and I ask my colleagues to join me today in honoring these fine young athletes.

TERRORISTS BELONG AT GITMO, NOT A NEIGHBORHOOD JAIL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SMITH of Texas. Madam Speaker, the Obama Administration has announced its plan to transfer 75 Guantanamo Bay detainees to the United States.

The Administration claims that transferring these detainees from Guantanamo Bay will somehow lessen al Qaeda's desire to attack America. But a change in location of detainees is not going to reduce terrorists' hatred of America.

However, the transfer of any Gitmo detainee to the U.S. will give them additional constitutional rights, making it harder for prosecutors to obtain convictions.

The Administration claims that it can detain these terrorists indefinitely. But many agree this is an impossible goal. Civil liberties groups were quick to point out that indefinite detention inside the United States without a trial is little more than a change in zipcode.

It is clear to all but those in the Administration that this decision will likely result in the almost immediate challenge to detention as soon as these terrorists arrive in Illinois.

The Guantanamo Bay facility in Cuba, not a prison in America's heartland is the right place for terrorists.

225TH ANNIVERSARY OF TRENTON'S TIME AS CAPITAL OF THE UNITED STATES

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. HOLT. Madam Speaker, I rise to commemorate the 225th anniversary of the city of Trenton's tenure as the capital of the United States.

Students of American history are familiar with the Compromise of 1790. James Madison

and Thomas Jefferson won permanent residence for Congress on the Potomac in exchange for the Federal Government's assumption of State debts from the Revolution—a priority of Alexander Hamilton. What followed was the Residence Act, which established what we now know as the District of Columbia.

What is less understood is the capital's journey through eight other towns, the abandoned proposals and the near-misses before Congress settled here on the Potomac. During the Revolutionary War, Congress moved frequently to avoid British troops—meeting famously in Philadelphia then in Baltimore, York, and Lancaster. Upon ratification of the Articles of Confederation, Congress returned to Independence Hall only to be removed abruptly in the summer of 1783.

That June, approximately 500 mutinous Pennsylvania militiamen demanding back pay from their service during the Revolution, encircled Independence Hall and refused to let Members of Congress leave the building unless their demands were met. Uncertain of their safety and the integrity of Congress, the delegates fled across the Delaware to Princeton, New Jersey.

In Princeton, Congress redoubled its efforts to select a permanent seat of government. To settle regional animosity, Congress agreed on two permanent capitals on the Delaware and Potomac, while designating Annapolis and Trenton as interim capitals.

On November 1, 1784, Congress convened in Trenton. Travel-weary legislators reluctantly trickled into Trenton—then a town of roughly 500 people—and it began official business at the French Arms Tavern on the corner of Warren and State Streets.

When Congress finally reached a quorum on November 29 it considered matters of foreign affairs and finance, appointing ministers to Britain and France and selecting commissioners to the Board of Treasury.

The highlight of Trenton's time as the capital was a visit by the Marquis de Lafayette. During his visit he petitioned Congress to take official leave to France and addressed a joint session of the New Jersey State Legislature. In honor of Lafayette, one of George Washington's most trusted generals, Congress drafted a letter to the King of France praising Lafayette's service and passed a resolution commending Lafayette for his bravery during the siege of Yorktown.

As the session concluded before Christmas, Congress scrapped the plan for two capitals and took up a resolution to establish a permanent capital in Trenton. Unfortunately for Trenton, debate stalled, and on Christmas Eve Congress agreed to meet in New York City after the New Year.

The rest as they say is history. The bustling, city life of New York was more appealing to Members of Congress than the calm of small-town Trenton. They quickly forgot their plans and continued to meet in New York until 1790.

Still, Congress's brief visit to Trenton offers a fascinating glimpse into the early history of the United States and should remind us that the remarkable Capitol building in which we conduct the people's business should not be taken for granted.

I commend the Crossroads of the American Revolution National Heritage Area, the Trenton Historical Society, and the other organizations that make up Trenton 1784—The Nation's Capital Committee, for their excellent work, schedule event and lectures and preparing exhibits and online resources to bring to life this fascinating yet fleeting moment in American history. Trenton was then and is today a town with great appeal.

IN RECOGNITION OF PATRICK W. HENNING'S OUTSTANDING CAREER OF PUBLIC SERVICE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GEORGE MILLER of California. Madam Speaker, I rise to offer the following statement, in recognition of Patrick W. Henning upon his retirement, on behalf of myself and the following members of the California congressional delegation: Representatives PETE STARK, HOWARD BERMAN, SAM FARR, LYNN WOOLSEY, ZOE LOFGREN, ANNA ESHOO, HENRY WAXMAN, DORIS MATSUI, JERRY MCNERNEY, JIM COSTA, BARBARA LEE, GRACE NAPOLITANO, LAURA RICHARDSON, BRAD SHERMAN, MIKE HONDA, LINDA SÁNCHEZ, JOE BACA, and other colleagues.

We rise in honor of Patrick Henning, upon his retirement from public service as the director of California's Employment Development Department, EDD. With nearly 40 years of experience in the field of labor, Mr. Henning brought to his office a deep and unmatched commitment to strengthening California's workforce.

Throughout his career, Mr. Henning has worked to improve the lives of California's workers—from his early days as a union organizer to his appointment to one of the state's largest Departments.

Prior to joining the Employment Development Department, Mr. Henning served the California Legislature for 17 years as a key labor policy consultant—first in the Assembly, and then in the Senate's Labor and Industrial Relations Committee headed by now-Secretary of Labor Hilda Solis. In the early 1980s, Mr. Henning served as California Labor Commissioner, and later as a member of the Agricultural Labor Relations Board. As a union representative in Southern California in the 1970s, Mr. Henning helped hundreds of workers bargain for improved wages, benefits, and working conditions.

Other major achievements include his tenure as chair of the state Developmental Disabilities Area Board for Los Angeles County. He also served several years in the United States Marine Corps Reserve.

Without a doubt, California's working families have benefited from Mr. Henning's lifelong contributions to the labor field. We would like to thank Mr. Henning for everything he has achieved for California's workers, and we give him our very warmest wishes for many happy years of retirement.

HONORING BALBINA ''BARBIE'' HERNANDEZ

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. GONZALEZ. Madam Speaker, on December 11, 2009, San Antonio lost a great public servant when Balbina ''Barbie'' Hernandez passed away at the age of 62. I ask my colleagues to join me in honoring Barbie Hernandez as we celebrate her life, which was highlighted by decades of community service, philanthropy, and leadership.

Balbina Hernandez was born on November 2 and was named after her paternal grandmother. She was nicknamed ''Barbie'' in high school and was by known by this name the rest of her life.

She was an active member of her community, serving countless organizations and served the City of San Antonio for 18 years, which included being part of then Mayor Henry Cisneros' administration. As a single parent, Barbie passionately worked to be a role model for young women and boldly carried a red purse to remind people of the disparity in pay between men and women. Also, as a proud Vok, Barbie was dedicated to Lanier High School and worked to make a difference for the students attending her alma mater.

After working tirelessly to earn her bachelor's degree from the University of the Incarnate Word she set out to work for the Mexican American & Hispanic Physicians Association, MAHPA, as Executive Director. At MAHPA, Barbie took great joy in working to make college and medical school a reality for so many kids.

The City of San Antonio and the State of Texas feel a little emptier now, but we have all lived richer, better lives because of the life of Balbina ''Barbie'' Hernandez. Her life may have ended, but her contributions will live on and generations shall enjoy the fruits of her labor.

STOP ANY TARP EXTENSION ACT OF 2009

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SHERMAN. Madam Speaker, I have cosponsored the Stop Any TARP Extension Act of 2009. The position of the Treasury Department—that it is free to reuse any repaid TARP funds—is entirely contrary to the law. Due to the Department's unwillingness to adhere to the statutory language of the Emergency Economic Stabilization Act of 2008, it is necessary to terminate that Act.

My office has inquired with the Treasury Department as to whether it possesses any legal opinion justifying the recycling of funds repaid by the banks. It should be noted that the Department has hundreds of lawyers and rarely does anything without a legal opinion, certainly not anything involving hundreds of billions of dollars. The Treasury Department refused to provide any legal opinion to Congress, implying that this is a case where he cannot find even one Department lawyer to reach the conclusion the Department would prefer.

Terminating TARP today will immediately return more than $300 billion to the general treasury. This will give us the fiscal capacity to take the actions necessary to fight the great recession and get Americans back to work. I voted to enact the American Recovery and Reinvestment Act of 2009 in February and would be willing to support well designed job-creation programs again today.

A disadvantage of keeping TARP alive is that the administration may select job-creating programs based upon whether they somehow fit a contrived and expanded interpretation of the TARP statute, rather than whether they constitute the best job creation strategy. Once the TARP funds are returned to the treasury, Congress should immediately consider job-creating and recession-fighting bills.

THE SCHOOL PRINCIPAL RECRUITMENT AND TRAINING ACT OF 2009

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mrs. DAVIS of California. Madam Speaker, research shows that school leadership can be one of the most positive and effective factors in improving student learning. In fact, a strong school principal is often the principle reason behind a successful, well-functioning school that attracts and maintains quality instructors. In high-need schools, strong school leadership is especially crucial.

When the No Child Left Behind Act is reauthorized, the federal government will look to provide additional resources to help high-need schools improve student achievement. With a strong and inspirational principal at the helm, a high-need school will be more likely to achieve success.

Representative TODD RUSSELL PLATTS and I are introducing the School Principal Recruitment and Training Act of 2009 to put the nation on the right track toward creating a new generation of effective school leaders. The legislation provides competitive grants to recruit and train high-caliber aspiring and current principals to lead high-need schools and stay in their positions.

As part of the training, principals will be mentored by other successful school leaders, and they will receive on-going education even after their placement. The legislation includes a data and reporting component so successful outcomes can be disseminated and replicated at other high-need schools.

Madam Speaker, I urge consideration of this legislation as we continue the effort to improve education in the United States and close the Achievement Gap.

RECOGNIZING THE IMPORTANCE OF TRADE TO THE UNITED STATES ECONOMY AND THE IMPORTANCE OF PASSING FREE TRADE AGREEMENTS WITH COLOMBIA, SOUTH KOREA, AND PANAMA

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. FRELINGHUYSEN. Madam Speaker, the Department of Labor has recently announced that unemployment across the country remained at double-digits and many states have followed with their own bleak statements of jobs being eliminated and families struggling.

These continued job losses demonstrate the need to approve and implement three free trade agreements—Colombia, South Korea and Panama—that can and will "save and create" high value private sector jobs for Americans.

Since 2005, 64 trade pacts have taken effect across the globe. The U.S. is a party to only five—with Australia, Bahrain, Morocco, Oman and Peru. During the same time frame, Japan has signed nine and the European Union (EU), which already has liberalized trade practices among its 27 member states, has signed eight.

And yet, pending free trade agreements with Colombia, Panama and South Korea that will tear down barriers to our products languish in the United States Congress. Unfortunately, there has not been a debate in Congress on the ratification of these agreements.

When visiting South Korea in November, the President indicated that the U.S. would move forward on the pending U.S.-South Korea free trade agreement (KORUS FTA). This is a pact, signed over two years ago, which will virtually eliminate remaining tariffs between our two economies. It also takes aim at non-tariff barriers such a Seoul's burdensome safety standards that many U.S. businesses have been unable to meet and, thus, gain access to the growing Korean market.

As the U.S. stalls, the EU is moving to fill the void. It is actively negotiating with South Korea, using many of the same principles and goals that our trade officials used years ago. In fact, there are credible estimates that the U.S. will lose 345,000 jobs if it fails to implement the KORUS FTA!

Likewise, it has been nearly 1,100 days since President Bush sent a final U.S.-Colombia free trade agreement to Congress for implementation. In the meantime, the Canadians have completed their own deal with Colombia which will ultimately disadvantage our manufacturers and our farmers.

So, as Congress places us firmly on the sidelines, Canada, the EU, China and other commercial competitors are taking the field and our business.

This is not some dry, theoretical debate for my home state of New Jersey. Our businesses, large and small, and their workers, have a great deal riding on these agreements and others yet to be reached. They will create jobs here in America, in general, and in New Jersey, specifically.

For example, the Port of New Jersey and New York is a major international gateway for our region. Today, $80 billion in commerce flows through the Port each year. Total exports from New Jersey have increased by $8.1 billion over the past five years.

In fact, the latest data has shown that 130,500 jobs in New Jersey depend on trade. Of these, 50,500 are manufacturing jobs. Indeed, approximately one of every six manufacturing jobs in New Jersey is directly connected to trade. In addition, small businesses, America's job creators, would be among the major beneficiaries of U.S. initiatives to reduce foreign barriers to our exports.

Understandably, there is a high level of job-related anxiety in America today. This apprehension is fueling the rise of protectionism. The President and the Congressional leadership apparently now believe that defeating or delaying these trade agreements will somehow shield American jobs. To the contrary, discarding these pending trade agreements will deny American businesses the opportunity to create or grow high quality private sector jobs here at home and cede these markets to our allies and adversaries!

Madam Speaker, there is no doubt that Beijing, Ottawa, Tokyo and our EU friends understand the importance of trade. Our economy and, most importantly, our workers, are paying an incredibly high price for enacting these trade agreements. I urge the adoption of this resolution and the immediate ratification of the Colombia, Panama and South Korean free trade agreements.

RECOGNIZING THE SERVICE OF JAMES J. CORNELL, INSPECTOR GENERAL OF THE U.S. HOUSE OF REPRESENTATIVES

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, on behalf of myself and Congressman DANIEL E. LUNGREN of California, I want to call to the attention of my colleagues a letter we recently sent to the Speaker regarding the retirement of Mr. James J. Cornell from the post of Inspector General of the House of Representatives. I enclose the letter here for your consideration.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, December 16, 2009.

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

DEAR MADAM SPEAKER: The Inspector General of the House of Representatives, Mr. James J. Cornell, will be retiring on January 2, 2010, after a long and distinguished career in service to the United States. His exemplary career spans 31 years, including nearly six years with the House. Jim is a perfect example of the exceptional public servants who labor in the fields, absent the fanfare, but without whom this institution would not function. Jim's commitment to excellence will be missed, but his legacy as Inspector General of the House of Representatives will have an enduring, positive impact on the institution.

One of the objectives of the Office of Inspector General is to produce value-added reviews and analyses which have improved House financial management, administrative processes, workplace safety and security—be

it physical, informational or technological. Jim's creation of an advisory services division has expanded the types of value-added services provided by the Office of Inspector General.

Further, Jim's efforts to train House Officers' staff on process improvement and to provide mentoring and project support, have allowed numerous House management staff to detect process inefficiencies and find ways to eliminate them. None of this would have been possible without Jim's strong commitment to training, transparency, and accountability. Jim's hard work and tenacity for thorough analyses have been vital to ensuring the success of the House's administrative and financial operations.

Jim's non-partisan collaboration with House Leadership and the Committee on House Administration has provided a solid foundation for the continued work of the Office of Inspector General. Due to Jim's leadership, we have great confidence that the Office will continue to ensure strong internal controls on the financial and administrative functions, will promote policies and procedures to improve efficiency and reduce the risk of asset loss, and will streamline processes and ensure that House operations remain in compliance with applicable rules, laws, and regulations.

Although Jim will be missed by his colleagues, we share the excitement for his new challenge and opportunity. As Jim opens a Christian school in an under-served area in New Jersey, we know that he will make a positive impact on the lives of many children. Jim can take great pride and satisfaction in the positive and important accomplishments made throughout his career. We wish Jim and his wife Joanne a joyful and exciting retirement, and we know that all Members of the House join us in thanking Jim Cornell for his years of distinguished service.

Sincerely,

ROBERT A. BRADY,
Chairman.
DANIEL E. LUNGREN,
Ranking Minority Member.

NATIONAL MEDIA SPELL 'SCANDAL' WITHOUT THE 'D'

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. SMITH of Texas. Madam Speaker, the national media spell 'scandal' without the 'D.'

Recently, the mayor of Baltimore was convicted of embezzlement.

On December 2, ABC's ''Good Morning America'' and CBS's ''The Early Show'' both briefly reported the Mayor's conviction.

Both failed to mention that she is a Democrat.

The Baltimore Sun and The Washington Post both failed to identify the Mayor as a Democrat in articles at the beginning of the trial.

The media also were guilty of selective omission in their coverage of scandals involving the Democratic former governors of Illinois and New York, as well as the Democratic former mayor of Detroit, among others.

On the contrary, when a former mayor in Georgia was arrested earlier this year, the Atlanta Journal-Constitution was quick to point out that he is a Republican.

The national media should treat both sides the same, not show favoritism based on party affiliation.

CONGRATULATING THE HARNETT CENTRAL HIGH SCHOOL 2009 VARSITY FOOTBALL TEAM

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2009

Mr. ETHERIDGE. Madam Speaker, I rise today to congratulate the Harnett Central High School Trojans football team in Angier, North Carolina, for their historic season and trip to the North Carolina High School Athletic Association State Championship football game this past Saturday, December 12, 2009 at Carter Finley Stadium in Raleigh. Saturday marked the first time any Harnett County school has made it to the state championship game since school district consolidation in the 1970s. Harnett Central also made history this year by finishing the season with a 15 and 1 record, a record made more impressive because this is the first year the team has played in the 4–A conference.

I am extremely proud of the dedication, determination, sportsmanship, and discipline of this talented football team and its coaches, and they are to be commended for their drive and perseverance. The 2009 team members include Anthony Johnson, A.J. Hayes, Jarrod Spears, Mike Murray, Jeremy Wells, Logan Klauka, Ocean Stroud, Torin Walker, Tate Wheelin, Brian Taylor, Jevon Morris, Nick Corbin, Brian Baker, Lemonte Taylor, Dalan Snow, Jacob Hyde, Shag Long, Kendrick Rodgers, Rico Currie, Michael Vahue, Todd Hodges, Donavon General, Dylan Kinton, Joseph Diniz, Ethan Gardner, Eric Upchurch, Jared Crumpler, Travis Jones, Alan Swan, Landon Ellington, Zack Avrette, Carlos Salas, Quincy Wells-Johnson, Alvin McLean, Frank Vetere, Wesely Smith, Johnathon Hill, Caleb Baker, Max Ramirez, Abiye Fubara, Jordan Keith, Tim McClain, Darius Forte, and Brandon McLean.

Head Coach Marc Morris and his great team of assistant coaches, including Wayne Stewart, Bill Wyrick, Travis Gaster, Clayton Williams, Joseph Capps, Kenny Jones, Scott Riley, Rodney Ellis, worked tirelessly behind the scenes all season and are backbone of the team's success.

I am proud to have the honor of representing this outstanding high school and I ask my colleagues to join me today in honoring these fine young athletes.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S13343–S13400

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 2895–2905, S.J. Res. 23, and S. Res. 377–379. **Pages S13382–83**

Measures Reported:

Report to accompany S. 1490, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information. (S. Rept. No. 111–110)

H.R. 730, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, with an amendment in the nature of a substitute.

H.R. 1817, to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the "John S. Wilder Post Office Building".

H.R. 2711, to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties, with amendments.

H.R. 2877, to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the "1st Lieutenant Louis Allen Post Office".

H.R. 3072, to designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the "Coach Jodie Bailey Post Office Building".

H.R. 3319, to designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building".

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".

H.R. 3667, to designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the "Clyde L. Hillhouse Post Office Building".

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".

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".

S. 678, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, with an amendment in the nature of a substitute. **Page S13382**

Measures Considered:

Department of Defense Appropriations Act: Senate continued consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, taking action on the following motions and amendments proposed thereto: **Page S13345–76**

Pending:

Senator Reid entered a motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S13345**

Senator Reid entered a motion to concur in the amendment of the House to the amendment of the Senate with Amendment No. 3248 (to the House Amendment to the Senate Amendment), to change the enactment date. **Page S13345**

Senator Reid entered a motion to refer the amendment of the House to the Committee on Appropriations, with instructions, Reid Amendment No. 3249, to provide for a study. **Page S13345**

Reid Amendment No. 3252 (to Reid Amendment No. 3248), to change the enactment date. **Page S13345**

Reid Amendment No. 3250 (to Amendment No. 3249), of a perfecting nature. **Page S13345**

Reid Amendment No. 3251 (to Amendment No. 3250), of a perfecting nature. **Page S13345**

Service Members Home Ownership Tax Act: Senate began consideration of the motion to proceed to consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, taking action on the following amendment proposed thereto: **Page S13376**

Pending:

Reid Amendment No. 2786, in the nature of a substitute.

During consideration of this measure today, Senate also took the following action:

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Saturday, December 19, 2009. **Page S13376**

Subsequently, the motion to proceed was withdrawn. **Page S13376**

Nominations Received: Senate received the following nominations:

David T. Matsuda, of the District of Columbia, to be Administrator of the Maritime Administration.

Gary Blumenthal, of Massachusetts, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Chester Alonzo Finn, of New York, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Sara A. Gelser, of Oregon, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Ari Ne'eman, of Maryland, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Dongwoo Joseph Pak, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Carol Jean Reynolds, of Colorado, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Fernando Torres-Gill, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Jonathan M. Young, of Maryland, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Gwendolyn E. Boyd, of Maryland, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2014.

Peggy Goldwater-Clay, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring June 5, 2012.

Marie Collins Johns, of the District of Columbia, to be Deputy Administrator of the Small Business Administration. **Page S13400**

Messages from the House: **Pages S13381–82**

Measures Referred: **Page S13382**

Enrolled Bills Presented: **Page S13382**

Executive Reports of Committees: **Page S13382**

Additional Cosponsors: **Pages S13383–85**

Statements on Introduced Bills/Resolutions: **Pages S13385–94**

Additional Statements: **Pages S13379–81**

Amendments Submitted: **Pages S13394–99**

Authorities for Committees to Meet: **Pages S13399–S13400**

Privileges of the Floor: **Page S13400**

By 59 yeas to 38 nays (Vote No. 380), Senate agreed to the motion to recess until 12:01 a.m. on December 18, 2009. **Page S13400**

Record Votes: One record vote was taken today. (Total—380) **Page S13400**

Recess: Senate convened at 10 a.m. and recessed at 6:52 p.m., until 12:01 a.m. on Friday, December 18, 2009.

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Douglas B. Wilson, of Arizona, to be Assistant Secretary for Public Affairs, who was introduced by Senator Shaheen, Malcolm Ross O'Neill, of Virginia, to be Assistant Secretary of the Army for Acquisition, Logistics and Technology, Mary Sally Matiella, of Arizona, to be Assistant Secretary of the Army for Financial Management and Comptroller, Paul Luis Oostburg Sanz, of Maryland, to be General Counsel of the Department of the Navy, who was introduced by Representative Skelton, and Jackalyne Pfannenstiel, of California, to be Assistant Secretary of the Navy for Installations and Environment, all of the Department of Defense, and Donald L. Cook, of Washington, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System, Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration, Marisa Lago, of New York, to be Assistant Secretary of the Treasury, and Steven L. Jacques, of Kansas, to be Assistant Secretary of Housing and Urban Development.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2889, to reauthorize the Surface Transportation Board, with an amendment in the nature of a substitute;

S. 554, to improve the safety of motorcoaches, with an amendment in the nature of a substitute;

S. 1562, to provide for a study and report on research on the United States Arctic Ocean and for other purposes, with an amendment in the nature of a substitute;

S. 1609, to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector;

S. 2852, to establish, within the National Oceanic and Atmospheric Administration, an integrated and comprehensive ocean, coastal, Great Lakes, and atmospheric research, prediction, and environmental information program to support renewable energy;

S. 2856, to allow the United States-Canada Transboundary Resource Sharing Understanding to be considered an international agreement for the purposes of section 304(e)(4) of the Magnuson-Stevens Fishery Conservation and Management Act, with an amendment in the nature of a substitute;

S. 2859, to reauthorize the Coral Reef Conservation Act of 2000;

S. 583, to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities;

H.R. 3819, to extend the commercial space transportation liability regime, an original bill entitled "Surface Transportation Board Reauthorization Act of 2009"; and

The nominations of Julie Simone Brill, of Vermont, and Edith Ramirez, of California, both to be a Federal Trade Commissioner, David L. Strickland, of Georgia, to be Administrator of the National Highway Traffic Safety Administration, Department of Transportation, Nicole Yvette Lamb-Hale, of Michigan, to be Assistant Secretary of Commerce, and Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner, and routine lists in the National Oceanic and Atmospheric Administration Commissioned Corps and Coast Guard.

CARBON MONOXIDE POISONING

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance concluded a hearing to examine carbon monoxide poisoning, after receiving testimony from Kelvin J. Cochran, United States Fire Administrator, United States Fire Administration, Federal Emergency Management Agency, Department of Homeland Security; Alan Korn, Safe Kids USA, Washington, D.C.; John Andres, Kidde Residential and Commercial, Mebane, North Carolina; and Cheryl Burt, Rochester, Minnesota.

PUBLIC LANDS AND FORESTS BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 1470, to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, S. 1719, to provide for the conveyance of certain parcels of land to the town of Alta, Utah, S. 1787, to reauthorize the Federal Land Transaction Facilitation Act, H.R. 762, to validate final patent number 27–2005–0081, and H.R. 934, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands, after receiving testimony from Senators Tester and Crapo; Harris Sherman, Undersecretary of Agriculture for Natural Resources and Environment; Edwin Roberson, Assistant Director, Bureau of Land Management, Department of the Interior; Mike McGinley, Beaverhead County Commissioners, Dillon, Montana; Ronald Hurt, Fremont County, Saint Anthony, Idaho; Sherman Anderson, Sun Mountain Lumber Deer Lodge, Deer Lodge, Montana; Matthew Koehler, WildWest Institute, Missoula, Montana; Tim Baker, Montana Wilderness Association, Helena; and Christopher A. Wood, Trout Unlimited, Arlington, Virginia.

SAFEGUARDING THE AMERICAN DREAM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine prospects and proposals for our economic future and safeguarding the American dream, after receiving testimony from Senators Conrad and Gregg; Alan

Greenspan, former Chairman of the Board of Governors of the Federal Reserve System; and David M. Walker, Center for the Study of the Presidency and Congress, Washington, DC.

AFGHANISTAN CONTRACTS

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine an overview of Afghanistan contracts, after receiving testimony from William H. Campbell, Director, Operations Directorate, Office of the Comptroller, Edward M. Harrington, Deputy Assistant Secretary of the Army for Procurement, Office of the Assistant Secretary of the Army, Acquisition, Logistics and Technology, and Jeffrey P. Parsons, Executive Director, U.S. Army Contracting Command, all of the Department of Defense; Charles North, Senior Deputy Director, Afghanistan-Pakistan Task Force, U.S. Agency for International Development; and Daniel F. Feldman, Deputy Special Representative for Afghanistan and Pakistan, Department of State.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 1703, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, with amendments; and

S. 1011, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, with an amendment in the nature of a substitute.

COBELL V. SALAZAR SETTLEMENT AGREEMENT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the Cobell v. Salazar settlement agreement, after receiving testimony from Ken Salazar, Secretary, Hilary Tompkins, Solicitor, Office of the Solicitor, and David Hayes, Deputy Secretary, all of the Department of the Interior; Thomas J. Perrelli, Associate Attorney General, Department of Justice; Keith Harper, Kilpatrick Stockton, LLP, Washington, D.C.; and Elouise P. Cobell, Browning, Montana.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 678, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, with an amendment in the nature of a substitute;

S. 1376, to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission to the United States, with an amendment in the nature of a substitute; and

The nominations of Barbara L. McQuade, to be United States Attorney for the Eastern District of Michigan, Christopher A. Crofts, to be United States Attorney for the District of Wyoming, Michael W. Cotter, to be United States Attorney for the District of Montana, Mark Anthony Martinez, to be United States Marshal for the District of Nebraska, and James L. Santelle, to be United States Attorney for the Eastern District of Wisconsin, all of the Department of Justice.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported the following bills:

S. 2862, to amend the Small Business Act to improve the Office of International Trade, with an amendment; and

S. 2869, to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 6 p.m. on Saturday, December 19, 2009 unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 223, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Committee Meetings

GOVERNMENT AS A SHAREHOLDER

Committee on Oversight and Government Reform: Subcommittee on Domestic Policy continued hearings entitled ''The U.S. Government as Dominant Shareholder: How Should the Taxpayers' Ownership Rights be Exercised?'' Testimony was heard from Herbert M. Allison, Jr., Assistant Secretary, Financial Stability, Department of the Treasury.

Joint Meetings

RUSSIA'S MUSLIM POPULATION

Commission on Security and Cooperation in Europe. Commission concluded a hearing to examine Russia's Muslim population, after receiving testimony from Paul Globe, Institute of World Politics, and Shireen Hunter, Georgetown University School of Foreign Service, both of Washington, DC.

COMMITTEE MEETINGS FOR FRIDAY, DECEMBER 18, 2009

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

12:01 a.m., Friday, December 18

Senate Chamber

Program for Friday: Senate will continue consideration of the motion to concur in the amendment of the House to the amendment of the Senate to H.R. 3326, Department of Defense Appropriations Act, and vote on the motion to invoke cloture thereon at approximately 1 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

6 p.m., Saturday, December 19

House Chamber

Program for Saturday: To be announced.

Extensions of Remarks, as inserted in this issue

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