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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

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

With the psalmist who sang through turbulent times, let us pray for our military and the Nation.

''I love You, Lord, my strength, my rock, my fortress, my savior. My God is a cave where I take refuge; my shield, my protection, my stronghold. The Lord is worthy of all praise, as I call out to be saved from all enemies.

''The Lord came to me because I stood aright. My hands were clean in his sight. You proved loving to those who love you. You show Yourself righteous with the righteous. With the sincere You show Yourself sincere, but the cunning You outdo in cunning; for You save a humble people, but humiliate the self-righteous.

''You, O Lord, are like a lamp. My God enlightens my darkness. With You, I can break through any barrier; with my God, I can scale any wall.''

Both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) come forward and lead the House in the Pledge of Allegiance.

Mrs. CHRISTENSEN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 158. Concurrent resolution expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 30. An act to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 1-minutes on each side of the aisle.

PHILADELPHIA TRANSPORTATION GRANT WILL CREATE JOBS

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

Ms. SCHWARTZ. One year after its enactment, the American Recovery and Reinvestment Act is creating jobs, about 2 million nationally, and making smart investments in communities across the Nation.

Last week, the City of Philadelphia received a $17.2 million grant to develop an integrated, multicounty bicycle and pedestrian network. This network will be a unique asset to the Philadelphia region and will transform biking and pedestrian greenways in our region.

Residents will benefit greatly from this network of trails and street improvements, using them to commute to work, to go to school, to the local grocery store, and it will create new opportunities along the North Delaware Riverfront in my district for recreation as well as for residential and economic development. The fact that this project was one of just 61 projects funded out of 1,380 applications demonstrates the substantial need for such infrastructure investments nationally.

My Democratic colleagues and I are working for innovative solutions to create jobs, to promote clean and safe communities in which we live and work and raise our families.

ANNIVERSARY OF BROTHERS TO THE RESCUE SHOOTDOWN

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

Ms. ROS-LEHTINEN. Mr. Speaker, the cause for freedom suffered a deep loss yesterday with the death of political prisoner Orlando Zapata Tamayo, the latest victim of the Cuban tyranny.

And today we sadly commemorate the 1996 murder by the Cuban regime of Carlos Costa, Armando Alejandre, Mario de la Pena, and Pablo Morales. As they searched for those who were risking their lives in the Atlantic in pursuit of freedom in the United States, Cuban military jets mercilessly shot them down in international airspace.

Some choose to ignore the brutality of the Cuban dictatorship, introducing a bill this week to lift parts of the embargo that would reward the regime.

Instead, I ask that we honor the memory of those lost to the cause of liberty in Cuba and redouble our efforts to turn their dream of a free Cuba into a reality.

HEALTH CARE REFORM

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

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Mrs. CHRISTENSEN. Mr. Speaker, we were so hopeful as this Congress opened and seemed on track to enact comprehensive health care reform to provide access to health care for every American.

Today, I am extremely disappointed to stand here to voice my consternation and frustration over the unequal, unjust, and inexcusable treatment of the millions of Americans living in the U.S. territories that we see in the President's proposal on health care reform.

Rather than working to provide quality, affordable care to all Americans, it would leave roughly 4.5 million, a disproportionate number who would desperately want and need health care coverage, leave them out in the cold without access to the health care exchange; without the same consumer benefits that other Americans would receive; without adequate Medicaid funding; and, thus, without the same comfort and security that comes with knowing that you and your family will have the quality health care when you need it, every time you need it.

The men and women in the U.S. territories are the same as those from California to Vermont, from Florida to Wyoming who love this Nation, who bravely serve in war to defend it, and who deserve to be treated as first class citizens in every aspect of our democracy.

This proposal fails them and, by extension, fails every American who believes in equality and fairness. I call on my colleagues, as we move forward, to honor the worth and the dignity of every American.

INSULT SPEECH IS A CRIME IN THE NETHERLANDS

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

Mr. POE of Texas. Mr. Speaker, in the Netherlands, it's against the law now to hurt somebody's feelings. Don't dare offend anyone or the speech police will cart you off to the courthouse and try you for the violation of the insensitivity laws.

Dutch lawmaker Geert Wilders made a documentary movie of real terrorist acts, real radical Islamic clerics encouraging violence in the name of hate; now, Wilders is on trial for insulting Islam. He is charged with discrimination and incitement to hatred.

The Dutch Ministry of Justice has stated, ''It is irrelevant whether Wilders might prove his observations to be correct. What's relevant is his observations are illegal.''

In Amsterdam, truthful insult speech is a crime. What kind of free society says truthful speech can be illegal?

Freedom of speech is a universal human right granted by God, especially if the speech is political or religious or truthful. All who believe in the human right of free speech should be offended and insulted by the insensitive words of the Amsterdam courts.

And that's just the way it is.

□ 1015

HEALTH CARE REFORM

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

Mr. BACA. Mr. Speaker, American families in my district are struggling to make ends meet and pay for health care services. Unemployment is 16 percent. Foreclosure is the fourth in the Nation.

The proposal released by President Obama this week is a step towards a healthier future for families and small businesses. Health cost coverage should be a right, not a privilege for the few. That means no loss of coverage when you get sick; coverage for as many people as possible that is affordable; do away with unfair practices like discrimination of preexisting conditions and caps on coverage; lower drug costs for seniors and lower premiums for early retirement; and better access and stronger protection for women. Health care reform will create jobs and bring down the deficit.

In my State of California, Anthem Blue Cross proposed to raise their premiums with double-digit percentages. This must stop.

I urge my colleagues to work to achieve health care reform. Let's not work with piecemeal solutions that will go nowhere, but solve the problems once and for all.

WHITE HOUSE SUMMIT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, instead of inviting Republicans to a conference table with a blank sheet of paper, the President's decided to introduce the same trillion-dollar Washington takeover of health care the public has already rejected. In Texas, we call that paying for the same real estate twice, and the American people aren't buying it.

They have been trying to tell the President in every way possible to stop the backroom decisions and secret deals. This week's so-called ''bipartisan'' summit is just more of the same.

Instead of pressing the reset button, the President's hosting a photo op. Using the illusion of bipartisanship as a political tool is wrong. It's not fooling anyone. If the President and Democrat leadership are serious about coming together on health care reform, then let's get out the of corral and start from scratch.

HEALTH CARE INSURANCE INDUSTRY FAIR COMPETITION ACT

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

Mr. KLEIN of Florida. Mr. Speaker, today the House is going to consider the Health Insurance Fair Competition Act. This bill will level the playing field by repealing the health insurance industry's unfair advantage and helping encourage competition by bringing down costs for families and businesses.

Everyone knows that competition drives our economy. Fair competition is what encourages innovation, ensures quality service, and drives costs down, and that applies to health insurance, too. Unfortunately, health insurance companies are exempt from these fair competition rules. This is like your neighborhood pharmacy calling up its competitor down the street and deciding to set all of their prices at the exact same amount. You can't do that. It's not fair to consumers, and no other business in the United States is allowed to act that way. What's fair for every other business in this country is certainly fair for the health insurance industry.

Today's bill makes commonsense changes, and I look forward to voting for it to make sure health insurance companies can no longer get away with price-fixing and other anti-competitive practices. Let's level the playing field.

HYDRAULIC FRACTURING

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

Mr. FLEMING. Mr. Speaker, the same team that brought America the job-killing, tax-hiking cap-and-tax legislation appears to be at it again. Just last week Representatives WAXMAN and MARKEY began committee action aimed towards giving the EPA unprecedented power to enact oppressive regulations on hydraulic fracturing—the technology that allows producers to reach natural gas, which has been proven safe for over 60 years.

This action would have a far-reaching negative impact on energy producers and consumers alike, particularly in formations such as the Haynesville Shale in my district which depends on hydraulic fracturing. In 2008, the Haynesville Shale pumped $4.5 billion into Louisiana's economy and created over 32,000 jobs.

Adding additional layers of regulations to hydraulic fracturing would not only result in sharp increases in costs to small and independent producers, it would dramatically decrease output and job creation. Production could grind to a halt and billions of dollars in Federal and State revenue would be at risk.

We need to get away, again, from this crazy scheme.

MEMPHIS, TENNESSEE, IS A GREAT CITY

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

Mr. COHEN. Mr. Speaker, recently Forbes magazine ranked what they called the most miserable cities in the country. Memphis, Tennessee, was third on that list. They considered certain issues but they didn't consider others.

They didn't consider the best barbecue in the United States of America; some of the greatest music; Beale Street; the great tourist center; gorgeous sunsets on the Mississippi River. They didn't consider the people of Memphis and the creativity that's emanated from there; Fred Smith and the greatest delivery of goods in the world, a system of freight delivery unrivaled; St. Jude's Children's Hospital that provides the gift of life and research into cancer and Nobel prize winners.

Opportunities for innovation are prevalent in Memphis. In music, Sam Phillips and Elvis Presley created rock-and-roll. And Willie Mitchell and Isaac Hayes and David Porter, and Stacks and Soulful.

I invite Chris Buckley, my friend, and Forbes magazine to come to Memphis and visit for themselves. Memphis has also got a great optometry school. Beauty is in the eye of the beholder. Maybe they'll leave with 20/20 vision.

NEW ORLEANS' ZULU SOCIAL AID AND PLEASURE CLUB

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

Mr. CAO. Mr. Speaker, today I continue to honor Black History Month by paying tribute to New Orleans' Zulu Social Aid and Pleasure Club. The Zulus were founded in 1909 and have been an integral part of the social organization of African American communities for 100 years. They are a foundation of New Orleans' cultural framework through their participation in Mardi Gras and their community service activities.

The Zulus' Mardi Gras parade is one of the largest attractions for the tribal costumes, the singing and dancing, and the famous, ornate hand-painted coconuts they distribute to onlookers. In 1949, the King of the Zulu parade was none other than New Orleans' own Louis Armstrong, one of the greatest contributors to African American history and culture.

In addition, the Zulus have contributed to the fibers and spirit of our community through their scholarship funds, Adopt a School programs, health fairs, Positive Male Models program, and other activities.

The Zulus are the ''everyman's club,'' and I am proud to recognize them and their contributions to Louisiana's culture and history.

NATIONAL EATING DISORDERS AWARENESS WEEK

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

Mrs. CAPPS. Mr. Speaker, I take this opportunity to acknowledge National Eating Disorders Awareness Week.

Millions of Americans struggle with an eating disorder. We must do more to increase public awareness about diagnosis, prevention, and treatment. One critical step we can take is to promote positive body image.

As we all know, the media has a significant influence on girls' and young women's perception of the ideal body size and shape. Sixty percent of girls say they compare their bodies to fashion models, and a staggering 90 percent say they feel pressured to be thin from the fashion industry.

Just as we witnessed with cigarette advertisements targeted at young women, fashion advertising often portrays a twisted ideal of beauty.

I urge my colleagues to take this opportunity during National Eating Disorders Awareness Week to work together to promote positive body image to the girls and women in your lives and in your congressional district. Our support on this issue is vital to ensure the physical, emotional, and social health of all our girls.

START OVER ON HEALTH CARE

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

Mr. KIRK. Mr. Speaker, while I was flattered that the President chose to include seven parts of my bill, the Medical Rights and Reform Act, in his latest health care proposal, he left out nearly every major reform in our centrist health care legislation, including the Medical Rights Act guaranteeing decisions made with your doctor will be made without government interference, lawsuit reform, and granting the right of every American to buy insurance from any State in the Union if you find a plan that is less expensive for your family or your small business.

The White House proposal is based on a very expensive Senate bill with half a dozen major new taxes levied in the teeth of the Great Recession. The new proposal would tax retirement savings, cut Medicare for seniors, and adds to our long-term deficit.

I urge the President to start over, to invite key congressional leaders to Camp David—there we could find reforms that we all support, like covering Americans with preexisting conditions—and present a more modest set of reforms that we all could support.

DON'T ASK DON'T TELL

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

Mr. MORAN of Virginia. Mr. Speaker, I rise today to respond to Army Secretary McHugh and to share the substance of an email from an active duty soldier in Afghanistan. In response to an inquiry from his commanding officer related to the military's review of the Don't Ask Don't Tell policy, the soldier shared how he and his partner of 10 years have managed multiple deployments to Iraq and Afghanistan.

He explained that they survived like any couple does, except, because of the Don't Ask Don't Tell policy, his partner would not be informed in the event of his death and could not make any emergency decisions that would normally fall to a spouse. This situation is typical, even within his unit.

He learned that a fellow soldier was also gay only after he was killed by an IED in Iraq. The partner of the deceased's soldier wrote the unit to say how much the victim had loved the military, how they were his family.

As Admiral Mullen said, this issue is a matter of integrity. This immutable human trait—sexual orientation—like the color of one's skin, does not affect one's integrity, their honor, or their commitment to their country. Soldiers serving their country in combat should not have their sacrifices compounded by having to struggle with an antiquated Don't Ask Don't Tell policy.

Let's do the right and honorable thing and repeal this policy.

ANTHEM BLUE CROSS SHOULD BE ASHAMED OF ITSELF

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

Ms. SPEIER. Mr. Speaker, Anthem Blue Cross should be ashamed of itself for raising premiums in California by 39 percent. People in my district have complained of increases as much as $2,400 a year. How can anyone afford that kind of an increase? This at a time when the insurance lobby has spent millions of dollars to defeat health care reform in America. This at a time when Anthem passed $4.2 billion to the parent company, WellPoint, in profits alone. It's beyond my comprehension how any Members of the people's House can continue to defend this behavior.

It's time to demand an answer to a question asked many years ago by Pete Seeger, ''Whose side are you on?'' You're either with the American people or you're with the insurance lobby. You either stand up for those who want affordable health insurance, or you lay down with the corporate titans who continue to care less about the American people.

Whose side are you on?

WHITE HOUSE SUMMIT MEDIA EVENT

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

Mr. PENCE. Well, tomorrow the White House will convene a so-called summit on health care reform. It's supposedly an effort to find bipartisan agreement and consensus on reform. And frankly, if the administration and Democrats in Congress were willing to scrap the bill and start over with a clean sheet of paper, I would be all for it.

The American people long for health care reform that will lower the cost of health care insurance without growing the size of government. But that is not what's happening here. Instead of scrapping the bill, the President's actually produced his own bigger, worse version of the bills that passed the House and Senate and then were summarily rejected by the American people: more spending, more taxes, more government, and coverage for abortion.

Instead of starting over, Democrats in Congress continue to threaten to abuse the very rules of this institution by passing some version of their health care reform bill by a simple majority in the Senate—known as reconciliation.

Tomorrow's summit is looking more and more like a taxpayer-funded media event designed to set up passage of ObamaCare 2.0. The American people deserve to know it.

□ 1030

THE PRESIDENT'S PROPOSAL ON HEALTH CARE REFORM

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

Mr. PIERLUISI. Mr. Speaker, I support health care reform, but I do not support the proposal put forward by the White House, because it mistreats 4.4 million Americans living in Puerto Rico and the other U.S. territories. They are treated like second-class citizens.

My loyalty to my party and to our President is beyond question, but my principles and my people come first. This proposal violates my principles, and it mistreats my people.

In Puerto Rico, the Federal Government pays less than 25 percent of the cost of providing Medicaid services. That is a national travesty. The House took important steps to mitigate this disparity in funding. Yet the White House proposal does not make a good-faith effort to address this inequality. Moreover, the proposal excludes Puerto Rico from the exchange but allows noncitizen residents of the States to participate. This is discrimination, and it is no way to treat one's fellow Americans.

I do not believe this proposal reflects the President's thinking, and I cannot believe my colleagues will allow it to stand. The people of Puerto Rico and the other territories fight proudly for their country. Their country should fight for them, too.

WHERE ARE THE JOBS?

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

Ms. FOXX. Mr. Speaker, this administration and Democrats in Congress don't seem to have an answer to the single most important question workers across the country are asking: ''Where are the jobs?'' The American people don't want more political pandering on the economy and health care; they want action now that will control runaway Federal spending and create jobs.

The third time is not the charm, Mr. President. When government-controlled health care was introduced in the House, the American people rejected it. Strike one. When government-controlled health care was introduced in the Senate, the American people rejected it. Strike two. And when the President puts his government control of health care on the table before a bipartisan handful on Thursday, the American people will reject that, too. Strike three.

The Democrats need to scrap their job-killing policies, like a government takeover of health care and national energy tax, and begin working with Republicans on commonsense solutions to create jobs and reduce out-of-control spending. It's time we work together to get this economy moving again and to help put people back to work.

RECOVERY ACT IS WORKING

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

Ms. JACKSON LEE of Texas. Mr. Speaker, let me tell you, here are the jobs. I believe if you polled across America you would understand that the investment that this Democratic Congress made, along with its President, created or saved 3.5 million jobs, gave 95 percent of American workers a tax cut, and began to build our crumbling rail and water and a variety of infrastructure.

Where are the jobs? I will tell you, 2.4 million jobs were created according to the Congressional Budget Office, nonpartisan, $120 billion in tax cuts to 95 percent of our working families and to businesses, loaned nearly $20 billion to our small businesses creating or saving a job.

What I like most of all is the 300,000 jobs in education and the 400,000 jobs in corrections officers and public health personnel. Let's ask all the firefighters and police officers across America whether or not there were jobs.

Mr. Speaker, I will tell you that we have invested in America. We had an economy that wasn't growing when we came in, down some 6 percent. Now it's up. We have the jobs, and we are going to do health care reform this morning as well.

We are working for the American people.

ENACT TORT REFORM NOW

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

Mr. SMITH of Texas. Mr. Speaker, the administration's health care bill fails to include a Republican solution that could actually achieve savings for patients—lawsuit abuse reform.

Forty percent of medical malpractice suits against doctors and hospitals are without merit, according to a study by the Harvard School of Public Health. And excess damages add $70 billion to $126 billion annually to health care costs, the Department of Health and Human Services has found. These costs, of course, are passed on to patients.

The administration has only suggested a pilot program for tort reform. But some States, including my home State of Texas, have already enacted tort reform. These States have seen insurance premiums fall and access to medical care expand.

We don't need a pilot program. We need to enact medical malpractice lawsuit abuse reform.

HIGH-SPEED RAIL

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

Mrs. HALVORSON. Where are the jobs? I think we can answer that every time we speak. In my district it is happening quite literally.

Recently I was very proud to announce $1.2 billion in Recovery Act funding being invested in Illinois for high-speed rail lines from Chicago to St. Louis. Two of the towns in my district happen to be stops along the rail line—Joliet and Normal.

There are those who have said, and continue to say, that projects like these will not put people to work, that the stimulus isn't working. But here is the reality: These high-speed rail lines in Illinois alone are going to put 6,000 people to work. This wouldn't have been possible without the investment in the American Recovery and Reinvestment Act.

I am proud that the Recovery Act is putting these people to work and putting our communities back on the track to recovery. We must continue to invest in American infrastructure, build upon the work of the Recovery Act is doing, and continue working to create jobs. The future of our districts depends on it.

HEALTH CARE REFORM

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

Ms. WATSON. Mr. Speaker, the President is opening the doors of the White House to host a bipartisan effort on health care reform, and the reason is for hope and optimism. Some think it's the other way around.

It's been a long and tough process, but we always knew that tackling this problem wouldn't be easy. Remember, this has been tried many times over the course of many years. This is the furthest we have reached. Everyone has to have an open mind for this summit. We have to leave divisive partisanship behind. The need is too great. It transcends day-to-day politicking.

Everyone believes we need reform. Everyone recognizes the problems in health care. They are too great to ignore.

Postponing, putting this off, holding it over is just tactics to destroy what we have come forth with. Join us, please, and let's see that we can insure all Americans.

HONORING THE LIFE OF U.S. MARINE SERGEANT JEREMY McQUEARY

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

Mr. HILL. Mr. Speaker, on Thursday, February 18, 2010, Indiana lost one of its brave sons. Marine Sergeant Jeremy McQueary was killed in the Helmand Province, Afghanistan, by an IED while on foot patrol supporting Operation Enduring Freedom. Sergeant McQueary, a Columbus, Indiana, native, had survived two prior IED attacks while in Afghanistan.

Jeremy, a model Hoosier, enjoyed fishing, four wheeling and giving back to his community by mentoring troubled high school students. He married his high school sweetheart, Rae, and together they had a baby boy, Hadley. He was only a month old when Jeremy shipped out for his third tour, this time to Afghanistan, having already served two previous tours in Iraq.

Eager to join the Marine Corps, Jeremy graduated from high school early and enlisted in 2002. Jeremy's passion for the Corps was so strong that he completed basic training on a broken foot, informing his superiors of his injury only after he had finished basic training. This level of commitment shown by Jeremy to the Corps and our country is an example to us all.

Jeremy McQueary was a devoted father and family man who paid the ultimate sacrifice serving his country. I mourn the loss of Jeremy. I want to thank Jeremy and his family for his service to our country. He and his loved ones are in my prayers.

HIRING ACT

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

Mr. ETHERIDGE. Mr. Speaker, America needs jobs, and we need them now. My constituents tell me they want Congress to quit the bickering and partisan posturing and get to working on fixing the economy. Wall Street may be doing well enough for the bankers to reward themselves with big bonuses, but folks on Main Street and on country roads are hurting.

North Carolina's unemployment rate hit its high for 2009 in December, an incredible 11.2 percent. Our top priorities must be: jobs, jobs, jobs. My HIRING Act will provide the incentive for companies to put people to work today, giving employers up to $7,500 per new worker they hire.

Congress needs to take action on this bill today and put people to work. Passing the HIRING Act would be like CPR for our economy, and I hope my colleagues will join me in supporting that legislation.

RECOGNIZING THE MAPS AIR MUSEUM

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

Mr. BOCCIERI. Mr. Speaker, I rise today in recognition of the Military Aviation Preservation Society Air Museum, located in my congressional district at the Akron-Canton Airport. I recently visited this nonprofit museum devoted to preserving our Nation's rich aviation history and the great volunteers who make that museum a reality.

When the Wright Brothers first built their airplane in Ohio, it was an example of American innovation. When U.S. Airborne divisions cleared the way for the Normandy invasion, it was an example of American leadership.

When the Air National Guard recently dispatched to Haiti to help the relief effort, it was an example of American charity. The MAPS Air Museum captures the unique connection between aviation history and our American culture. Our spirit to persevere and succeed parallels our innovative spirit and desire to be leaders in the world and in aviation.

I commend the MAPS Air Museum for its continued inspiration and its dedication to aviation history and the American spirit. Thank you to the soldiers, sailors and airmen who volunteer there every day to keep our history alive.

PROVIDING FOR CONSIDERATION OF H.R. 4626, HEALTH INSURANCE INDUSTRY FAIR COMPETITION ACT

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1098 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1098

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4626) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. DRIEHAUS). The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I am pleased to yield the customary 30 minutes to the gentlewoman from North Carolina, Dr. FOXX. All time yielded during consideration of this rule is for debate only.

GENERAL LEAVE

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

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

There was no objection.

Ms. SLAUGHTER. I yield myself such time as I may consume.

Mr. Speaker, like all of my colleagues, I have spent a lot of time talking with people in my district about health care and what is happening to them. They were in no way prepared for the influx of incredible rate increases that seemed to come out of nowhere and fall like rain upon them, to the extent that most of them really are not sure they can even stay insured.

Invariably, the conversation turns to health premium increases. I hear about insurers that deny coverage. I heard from a father who had just had a child who was born with a condition that would make him uninsurable for the rest of his life. I listened to someone tell me that her husband's new insurance policy won't cover her because she has preexisting conditions or simply because it doesn't cover her.

But now this Congress is on the brink of some commonsense changes to the health insurance industry that will help to level the playing field a bit between ordinary Americans and the giant corporations that exert such power over our day-to-day lives.

□ 1045

And I say ''our'' because I personally am caught in the same trap as most of my constituents. I don't have any kind of special coverage because I'm a Member of Congress. I have always been on my husband's policy at home from Eastman Kodak that has covered us since he retired, but it no longer will cover spouses. We are halfway through dropping spouses, and all the benefits that we got as spouses were taken away about 4 years ago. So it's not the worst plan, but it's not the best either.

Under the health care bill endorsed by House Democrats, the insurance companies will no longer be able to deny insurance coverage based on preexisting conditions or just premiums based on gender, which they do—you may not know that single women are charged 48 percent more for health insurance—or for their occupation.

They wouldn't be able to drop coverage if you get sick. I was talking to a man just this morning who talked about all the money he had paid into health insurance, and when he made his first claim at the age of 30, they decided already he was going to be trouble and denied his claim. They cannot anymore tell you that it costs too much to take care of your child. Insurance companies would have to publicize their rates and no longer can charge older Americans twice as much as the younger ones.

For my money, though, there is one part of our reform package that is simple to explain, easy to justify, and 60 years overdue, and that part is to repeal the antitrust exemption given to the health insurance industry in 1945 by Congress. That is why we are here today. There is no reason any industry in the United States, including baseball, which was exempt as well, should be exempt from the one consumer protection the Federal Government gives everybody against chicanery, collusion, and rate setting.

Even though the broader effort to pass the final health care bill is underway, we have an opportunity today to make a simple, straightforward statement about how we think health insurance should operate in this country. By repealing this unjustifiable exemption, we will enable—this is very important. People do not understand that during the last 60 years the Justice Department has not been able to enforce anything against them because they were exempt. This will enable the Justice Department to begin aggressively enforcing the laws that protect the consumers against the cartel of health insurance who wield such outsized influence in the health care industry.

As it stands now, the insurance industry is allowed to fix prices and engage in other anticompetitive behavior. Because these companies are allowed to pool and share data and to jointly establish premiums and types of coverage, there is very little prospect for an average family to price shop. It is almost too tempting for big insurers not to cheat a little bit. Moreover, regulating the insurance industry is left up to individual States—most of them will tell you that they really are not up to it—which often suffer from a lack of resources to effectively crack down on abuses.

Each of the 50 States and the District of Columbia has its own regulatory framework, traditions, and intentions, which leads to a spotty patchwork of enforcement. In fact, according to a report from the Center for American Progress, there has been only extremely limited and sporadic State enforcement by State insurance commissioners throughout the 60 years. In the void, insurance companies have been free to engage in anticompetitive and anticonsumer behavior, resulting, as we said just recently, in some insurance premiums costing as much as 70 percent.

As a result, this exemption thwarts free market pricing and is impossible to defend today or at any other time. What we will be doing by removing this exemption is to tell the health insurance companies that they need to start behaving like every other industry. We tell them that colluding and conspiring to set prices at a certain level to harm consumers is not going to work in America anymore.

As I said, the history of this provision dates back to 1944, when some insurance companies went to court to challenge the notion that the Federal Government could enforce antitrust laws. Despite their best efforts, the Supreme Court ruled that the insurance business was subject to antitrust laws just like everybody else. Unhappy with that decision, the insurers effectively got Congress to invalidate the ruling of the top court. It was an amazing piece of legislation, Mr. Speaker. Both Houses, Senate and the House, passed legislation giving the insurance industry a 3-year transition period while they moved to be covered by what everybody else is covered by, antitrust. Both bills had passed, and when it came out of conference, the exemption was made permanent.

Over the years, opponents of McCarran-Ferguson—and I have been one of them for about 30—have been stymied. The last serious effort was led by Representative Jack Brooks in 1991, who tried and failed to change the law.

Last year, when we again started in a serious effort to change the law, the industry geared up for a big fight. We heard from the American Insurance Association and the American Academy of Actuaries, among others, who argued that changing this law would somehow cost consumers more money. Other interest groups claimed the provision was poorly written, too broad, or a solution in search of a problem.

Interestingly, some lobbyists have quietly begun to whisper that this provision will not have impact on their rates. They say it is too narrow in scope. Frankly, I would much have preferred to lift this exemption from the entire insurance industry instead of just health. But they are firmly opposed, make no doubt about that, and are lobbying to prevent it, which makes we wonder if they are sort of whistling past the graveyard.

Now, let's look back for a minute at the last major investigation of the health industry. Two years ago, the attorney general for the State of New York, Andrew Cuomo, investigated the collusion of health insurers. Those companies were using Ingenix, a billing data clearinghouse, to set rates even though the company was owned by one of them. The evidence showed the insurers were conspiring together to artificially depress a level of reasonable and customary charges they would reimburse to health care providers, which shifted additional costs onto the policyholder. In the face of a threat from Cuomo, the clearinghouse agreed to disband, and the insurance companies paid a sizable sum to resolve the charges.

As recently as this week, there were fresh news reports out of California about abuses by a major insurer there. It is important to remember that many people assume that conspiring to set rates is illegal in our country. I assume most people believe that. Every high school student in America is taught about the Sherman Antitrust Act and the how the creation of the Federal Trade Commission came about to level the playing field. Part of the motivation was to make sure that small businesses, who make up the backbone of our economy and fuel small towns from coast to coast, would have a chance against the big corporate interests. These creative new entrepreneurs needed to have confidence they would not be frozen out of the market by the big boys. Sadly, that is exactly what happened. In many States and regions across the country, there are often just a couple of health insurance companies operating. In New York, two companies control half the market. Many States have it even worse, including our neighbor Vermont, where two companies have 90 percent of the market share.

Of course, some people will continue to insist that government should just stay out of this whole business. My colleagues on the other side often say no government is the best government and free market works best if there is no attempt to regulate it. But I would argue that any of that is far outweighed by the benefit we gain by having more competition, less concentration, and the assistance of a powerful watchdog.

I strongly encourage all of my colleagues to join me today in supporting the repeal of the McCarran-Ferguson Act.

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

Ms. FOXX. I thank the gentlewoman from New York for yielding time.

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

Mr. Speaker, at the beginning of the 110th Congress, the new majority came to power full of promises for a bipartisan working relationship and a landmark pledge to create the ''most honest, most open, and most ethical Congress in history''; however, this rule and this bill are the antithesis of that statement.

The bill we consider today, H.R. 4626, the Health Insurance Industry Fair Competition Act, is not the language that passed the House Judiciary Committee in November of 2009 as H.R. 3596.

In fact, the bill we have before us today was not considered by any committee and was introduced only 2 days ago, on Monday, February 22, 2010.

It is hard to understand what is the sudden rush. Yesterday, the gentlewoman from New York said we have waited 60 years to get this bill; today, she says this is long overdue. But she doesn't point out that in all that period of time, the Democrats have been in charge of Congress except for 2 years in the fifties during the Eisenhower administration and the years 1995 to 2006. So why didn't they get it passed when they were in control before? Why have they been waiting 60 years to get it done?

The language in H.R. 4626 is substantially different from the bill the Judiciary Committee passed. That bill dealt with both health insurance and medical liability insurance, but medical liability insurance has since been stricken from the language. In addition, my colleague, Mr. LUNGREN from California, offered an amendment that was accepted with bipartisan support by the House Judiciary Committee during markup. That amendment was stricken from the language of the current bill that we see in H.R. 4626. During the Rules Committee debate yesterday, Mr. LUNGREN offered that same amendment; however, it was not made in order. Instead, we have yet another closed rule where Members are shut out from offering any amendments to a bill that did not see the proper vetting process. It is high time that we open this process up and that we hold the majority to their promise to make this an open Congress and allow amendments to be offered on the floor and fully debated.

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

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Maine (Ms. PINGREE) control the remainder of my time.

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

There was no objection.

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the gentlewoman from Maine for yielding the time. I also want to salute the chairwoman of the Rules Committee, Ms. SLAUGHTER, who has been a champion for American families when it comes to standing up for their needs, especially in health care.

Mr. Speaker, I rise in strong support of H.R. 4626, the Health Insurance Industry Fair Competition Act, and the underlying rule. It is time for policymakers in Washington to determine whose side are they on; are they on the side of the health insurance companies or are they on the side of American families and small businesses?

I urge my colleagues to stand up for hardworking families across America and pass this Health Insurance Industry Fair Competition Act today because the state of the current law is unfair. Health insurance companies currently enjoy an exemption from antitrust laws with no good justification. Meanwhile, American families are held hostage to rising health care costs and a nagging insecurity that even though they pay their premiums and they pay their copays, they could be canceled at any time, even when they get sick, or they're going to have to fight through the red tape to get the benefits they're entitled to.

Last year, the five largest health insurance companies made a record $12.2 billion profit, a 56 percent jump, while dropping coverage for 2.7 million Americans. Health insurers appear to be cherry-picking who they will cover in order to make a huge profit.

In my home State of Florida, from 2000 to 2007, health care premiums for families rose on average by 72 percent; meanwhile, their paychecks only went up 20 percent during the same time. So our action in removing the antitrust exemption will spur fair prices and real competition.

Again, it's time to choose; whose side are you on? Who will we protect, American families or the health insurance companies? The answer is clear: No more favors to private insurance companies.

I urge a ''yes'' vote on the rule and on the underlying bill.

Ms. FOXX. Mr. Speaker, I now yield such time as he may consume to my distinguished colleague from California, the former attorney general of California, Mr. DANIEL E. LUNGREN.

□ 1100

Mr. DANIEL E. LUNGREN of California. I thank my colleague from North Carolina for the time.

Mr. Speaker, I might say this is an interesting point. I don't think I've ever been on the floor in 16 years and have faced this kind of a rule. It is a closed rule. I've been here before with closed rules, but the effect of the closed rule is to prohibit me from providing or from presenting my amendment. Now, that is not unusual. Usually, you come to the floor, and you present an amendment to try and amend the bill to change it from the way it was reported out of the committee that did the work on it. But in this case, I am being prohibited from offering an amendment to change the bill back to the way it was as reported out of the committee on a bipartisan basis.

For whatever reason, the majority on the Rules Committee decided that an amendment that was cited by the Democratic chairman of the Judiciary Committee, Mr. CONYERS, as an excellent clarifying amendment is not going to be here.

When one of the chief cosponsors of the bill, or coauthors of the bill, being presented on the floor today announced the bill last week, she said publicly that this was similar to the bill that was passed out of the Judiciary Committee with the bipartisan support of Congressman LUNGREN from California. So, naturally, I was interested to look at the bill that they were presenting to see how it was the same as the bill we presented. I found out that they'd left out my amendment which allowed for the sharing of historical data by insurers so that they might look at the experience evidence and utilize that in making their decisions with respect to how they conducted their business going forward.

I had been assured that my amendment was not necessary because committee staff on the Judiciary Committee had researched it. Nobody believed that the Justice Department of any administration going forward would find the compiling of historical data among the insurers to be noncompetitive and violative of the antitrust laws. I was further assured that they did not believe that that would be the case with any of the attorneys general of the States.

Now, I had the privilege of serving as attorney general of my State for 8 years, being a member of the National Association of Attorneys General—an organization which does support legislation of this type—and of course, attorneys general of the various States have independent authority under their State laws to enforce antitrust laws, which I did during my 8 years. Sometimes we went beyond what the Federal Government did because we understood better the unique circumstances of our State.

I remember, one time, we were dealing with a merger between two large banks. They were national banks, and they had branches in the State of California. We were working in conjunction with the antitrust division of the Justice Department, and we were moving in the same direction, but I remember getting a phone call from one of the attorneys at the Justice Department in Washington, DC, who asked this question: Well, how close is San Jose to San Diego? About 400 miles, but they thought they were next to one another.

Why was that relevant? That would be relevant as to whether you had competition among the bank branches that were then going to be merged. Would that then give increased and illegal concentration of power in those areas?

The point I am making is that attorneys general of the States may know a little bit more about their States than attorneys working as hard as they can here in Washington, DC. So the idea that attorneys general are somehow impotent, from a legal standpoint, such that they cannot bring forward antitrust cases, is just not true.

At the same time, I voted for the bill coming out of committee because I thought it had, in fact, reached an appropriate balance. Interestingly enough, the gentlelady from New York, the chairperson of the Rules Committee, stated in her support for this rule and in support for the underlying bill that this is really a tribute to Jack

Brooks, who attempted to do this for years.

I was privileged to serve with Jack Brooks, an interesting Texan Member, someone who was the Chair of the Judiciary Committee for some time. When the bill in the Judiciary Committee was originally introduced this time around, the distinguished chairman of the committee, Mr. CONYERS, cited Jack Brooks, and said, This was the Jack Brooks bill. So I went back, and I looked at it. I found out that my amendment, or the language that I had then put in in amendment form, was in the Jack Brooks bill but not in the bill before us. So I brought it forward.

So you might say, if we are doing this in homage to Jack Brooks, you would do him further homage by allowing the language of his bill to be put into this bill, and that's all I ask for. It's all I ask for.

Now, the other part of the bill that came out of the Judiciary Committee, which is not in this bill, is to remove the antitrust exemption that currently exists for medical malpractice insurance providers, but somehow that has been taken out of this bill with no explanation whatsoever.

So we have cherry-picked from the bill that came out of the Judiciary Committee with bipartisan support, and yet we acclaim the bill as being, essentially, the bipartisan bill that came out of committee.

As I said before the Rules Committee yesterday, sometimes you just have to learn to take ''yes'' for an answer. I support the underlying bill. I support this effort. I am trying to make it better. It was accepted on a bipartisan basis. Yet, in the Rules Committee, there wasn't one, in my judgment, credible argument about why you wouldn't have it.

On the one hand, I've heard from the staff of the Judiciary Committee that it is not necessary because no single administration will have a Justice Department that finds this to be anticompetitive. On the other hand, I hear from the chairperson of the committee, Well, we don't want to give this power to the insurance companies. We want the Justice Department to investigate it. Well, if that's the case, you can't have your cake and you can't eat it, too. It's either one or the other.

If it is, as I was told, unnecessary, redundant because nobody looking at it will find this to be noncompetitive because it is essential information—and by the way, the absence of this information will not hurt the big guys as much as it will hurt the little guys. Why? Because if you are a large carrier, you have a far greater experience database than if you are a small carrier. You understand the market better in terms of information that is at your fingertips. If you are a smaller provider, you need the information to understand the universe that you might be attempting to present your product to.

So we have, on the one side, being told that no reasonable antitrust division of any Justice Department of any administration will find this to be anticompetitive. Then you have the chairperson of the Rules Committee saying, No, no, we have to keep this in here because we want to make sure that the Justice Department will be able to determine whether or not it is.

So what does that give the market? What does it give the smaller insurers? It gives them uncertainty.

So the very thing that you are saying you want to do you are prohibiting from being accomplished by not allowing this amendment to be considered. This amendment, as I might say, was described by the chairman of the committee as an excellent clarifying amendment. We are therefore removing clarification, and we are replacing it with uncertainty.

Look, I can go down on the floor and bash the insurance companies as well as anybody here. Let's just knock them all around here. The point is we are making an adjustment in law, which is what is good for the people. So why not do it in an intelligent way, in a way that will actually assist in the marketplace and allow for greater competition? Outside studies have said, if, in fact, this information is not allowed to be collected together and shared among those in the industry, it might—they said ''might''—might have the impact of harming the smaller insurance carriers.

So I don't know why you're doing this. I don't know if there is a political reason for it. I don't know if it's because I happen to be a Republican. I'll give it up. Any Democrat who wants to put his name on it can add his name to Jack Brooks' and present it on the floor. But this kind of silliness on this floor has got to stop. You ask for bipartisanship, and you throw it away. We have complete bipartisanship in the committee, and you ignore it.

As one member of the committee, a Republican member who voted with me in support of this bill on a bipartisan basis, said afterwards when he found out that that bill wasn't going to be presented on the floor, Why do we need committees and subcommittees? What are we holding hearings for? Why are we having the experts testify before us if, in fact, somehow in the—I don't know where it is. There are closed doors somewhere that decided that this bill was going to come out instead of the bill we worked on in committee and then give no good answer.

It's such a shame you don't have TV cameras in the Rules Committee. If people could have seen the argument yesterday, if the public could have understood what we were talking about, I mean they would have shaken their heads and said, Do the people's business. Please do the people's business. Don't get involved in partisanship.

Again, I would say I give up my name on this amendment. I will gladly dedicate it to Jack Brooks in his memory. I'm glad to give it to any Member of the Democratic side. Let's do the people's business and get rid of this silliness of unstated partisanship, without any rationale, that undercuts the impact of the bill.

Once again, this is unique. I've spent 16 years in this place. This is the first time I've ever come to the floor and have been denied an amendment that would put back in something we voted on on a bipartisan basis in committee that has been removed at the direction of somebody, including the Rules Committee, so that we can't have the chance to work on the product that came out of a bipartisan effort in the committee.

Ms. PINGREE of Maine. Thank you to the gentleman from California (Mr. LUNGREN). I will not give you all of the answers I am sure you are looking for, and I feel confident that, when this bill is debated on the floor, there will be many more questions raised from the members of the committee who sat through this debate.

I can only say, as a member of the Rules Committee, I, too, sat there while this conversation was going on. I am not an expert in this particular area. I am very pleased, and I want to talk a little bit about how pleased I am that we are taking on this exemption of the insurance companies.

I did hear people say, and the reason that I voted the way I did yesterday, is that I heard that the Lungren safe harbor amendment was a loophole in the McCarran repeal. I heard that consumer groups had said that this was anti-consumer. A safe harbor isn't needed because the bill does not prohibit information sharing. On the other hand, putting in a safe harbor statute would automatically immunize the insurance companies, and it would not permit a case-by-case review of companies that go too far.

Honestly, I am not in a position to argue this amendment, but I know it will be discussed when the bill is discussed.

I want to go back to the original issue, because that is why I am standing here today.

Mr. Speaker, I am a proud cosponsor of H.R. 4626, the Health Insurance Industry Fair Competition Act.

I have seen firsthand how health insurance companies have used their exemption from antitrust regulation to profit off the backs of hardworking individuals and small business owners in my home State of Maine. If you want to buy an individual insurance policy in my State, it doesn't seem like you have much choice. Anthem Blue Cross Blue Shield of Maine became so big and swallowed up so much of the market that, at one point, nearly 8 out of 10 people buying an individual policy ended up with them as their insurance provider.

How did Anthem reward them? With skyrocketing rate increases that are impossible to keep up with.

In Maine, Anthem's rates have gone up 250 percent in the last decade—10 times the rate of inflation. Last year,

they asked for a 19 percent rate increase. People in Maine were shocked. Anthem, apparently, was just getting started. This year, Anthem is demanding a 23 percent increase in their rates.

Mr. Speaker, the only thing rising as fast as the premiums big insurance companies charge is their profit margin. Last year, profits for the five biggest insurance companies rose by 56 percent over the year before. I don't know about you, but I don't know anyone else in this economy who got a 56 percent rate increase last year or a raise.

Anthem has turned a deaf ear to the concerns of Mainers who are struggling to pay premiums. Last year, when they asked for a 19 percent increase, our insurance superintendent, Mila Kofman, denied the request, allowing them 11 percent instead, which seemed reasonable. So what did Anthem do? They immediately turned around and sued the State of Maine. As our attorney general, Janet Mill, said, ''In this economy, it's hard to believe the greed of it.''

Also last year, I learned that Anthem had suddenly and quietly changed a policy that allowed them to deny claims at our State's VA hospital. The VA staff caught the switch, but very quickly, the hospital was out $500,000. You might ask yourself, How can a company get away with that? How can a company get away with denying claims for veterans and with demanding outrageous rate increases while pocketing record profits?

The answer is pretty simple. They don't have any real competition.

I say enough is enough, Mr. Speaker. Anthem clearly demonstrated that their monopoly on the individual insurance market in Maine leaves consumers with little choice but to either pay escalating premiums or to go without coverage. You will hear this more than once today, and we already did from the Chair. Unbelievably, health insurance companies and Major League Baseball are the only two entities exempt from antitrust laws, and it is high time we gave the insurance companies a little competition.

I know it's not what Anthem wants. It is why they have lobbied so hard against health care reform that would lower health care costs overall. It's what the American people want. The American people believe in fair play, a level playing field, and in free and open competition, not a system where one massive corporation can run roughshod over consumers.

We need to put families before insurance companies and people before profits. H.R. 4626 is an essential step in achieving meaningful health reform and in giving Americans choice. I urge my colleagues to join me in voting ''yes'' on this rule, this unamended rule, and ''yes'' on the underlying bill.

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

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the distinguished ranking member of the Rules Committee, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. I thank my friend for yielding, and I want to congratulate her on her superb management of this as well as of other rules that she has brought to the floor.

□ 1115

I just don't get it, Mr. Speaker. My very good friend, my Rules Committee colleague, would not yield to the author of the Brooks-Conyers-Johnson-Lungren amendment, the bipartisan, agreed-to amendment out of the committee, because she said she wasn't an expert on this and didn't want to engage in a discussion with Mr. LUNGREN on the issue.

All we're asking is, let's not force you to have this discussion. Let's allow Members of this House to debate it. That's the only request that we were making.

Mr. Speaker, the American people get it. I've been on the Rules Committee for many years, and many of my colleagues on both sides of the aisle say, Don't talk about process, don't talk about the ins and outs of the Rules Committee. People's eyes glaze over when you start doing that.

But last June 24, that changed. It changed dramatically, when, at 3 o'clock in the morning, we were dealing with the cap-and-trade bill and a special rule was being reported out at that moment, and a 300-page amendment, still warm off the copying machine, was dropped in our laps as we sat there.

And what happened after that, Mr. Speaker? What happened was the mantra ''Read the Bill'' became a household term. People around the country, for the first time, began to focus on process and what has happened in this institution, and they were sick and tired of it.

The next day, our distinguished Republican leader, Mr. BOEHNER, proceeded to take his 1-minute that is granted to the Speaker, the majority leader and the minority leader, and he utilized much more than that 1 minute. Why? Because we had been presented this 300-page amendment in the middle of the night; no one had seen it; and he, fortunately, took time to go through that 300-page amendment.

Mr. Speaker, what we are having here today is a continuation of that. Mr. Lungren said he had a discussion with one of his committee colleagues. The bottom line that we're seeing here is, the committee process be damned. The committee process be damned is what has really come about. To me, it's a sad commentary, not for Republicans or Democrats, but for the American people.

I am happy to yield to my friend if she'd like me to yield.

Ms. PINGREE of Maine. Well, thank you very much. I didn't even have to ask and I appreciate your offering.

Mr. DREIER. When I saw you get to your feet, I suspected you might.

Ms. PINGREE of Maine. Thank you.

I knew you wanted to hear my very brief answer on this, and I just want to clarify. I appreciate your desire to discuss the process, and I hope you take as much time as you choose to do so. But I just want to clarify——

Mr. DREIER. Well, if I could reclaim my time, we would simply like a chance to offer the amendment, and my friend could vote against it, the bipartisan amendment that had, in fact, full unanimous consent from Democrats and Republicans, to make sure that small insurance companies will not have their future jeopardized. That's all we're asking for.

I am happy to further yield to my friend.

Ms. PINGREE of Maine. And I will just be brief. I want to have plenty of time for my colleagues who want to talk more about the substance of this issue. But I would say, I felt there was plenty of time for the process in the Rules Committee. There was a lively conversation with some of my colleagues and your colleagues, bipartisan, back and forth. But I disagreed. I did not think that we needed to change this exemption about data in the rule, in this particular amendment. I am happy to allow the Justice Department to have a decision about this later.

Mr. DREIER. If I could reclaim my time, Mr. Speaker.

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. DREIER. I am happy to yield.

Mr. DANIEL E. LUNGREN of California. That's the most interesting thing. You did change it. You changed the bill from the bill that came out of committee. So don't tell me you didn't want it changed. You did change it. That's the whole point we're making.

The bill that we produced out of committee on a bipartisan basis that was called a clarifying amendment was taken out. So you're the folks that changed it. I didn't change it.

My God, is this 1984 doublespeak around this place?

I thank the gentleman for yielding.

Mr. DREIER. I thank my friend.

I think the point is very clear. We have the author of a bipartisan amendment who enjoyed the support of the committee chairman and others, which was focused on small insurance companies. Small insurance companies. The big guys aren't going to be affected by this, Mr. Speaker. The idea here is to ensure that we don't see an increase in premiums or, as Mr. Lungren said in testimony before the Rules Committee yesterday, potentially these small insurance companies going out of existence.

Now we heard Democrats and Republicans alike in the Rules Committee argue on behalf of the free market process, and we believe that we should do everything that we can to ensure that there is a wider range of competition, greater competition. And so what

is happening is that when this rule passes, it prevents an opportunity to have any chance to discuss this bipartisan amendment. It's a very, very sad day that we continue with a process that is so closed.

Last year, we set a record. For the first time in the 220-, almost 221-year history of the Republic, we went through a year without a single rule that allowed for an open debate. In fact, since my California colleague, Ms. PELOSI, has been Speaker of the House, we've gone through now a 3-year period. In that 3-year period of time, save the appropriations process, we have had a grand total of one bill considered under an open rule.

Again, this is not a partisan issue. This is to do with the American people having their voices heard in this institution. And so while we are supportive of the underlying legislation, this change is absolutely outrageous. I urge my colleagues to vote ''no'' on this rule so that we can bring back some kind of positive recognition of what the Framers of our Constitution wanted, and that is, a viable committee structure.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded to address their remarks to the Chair.

Ms. PINGREE of Maine. Mr. Speaker, I do appreciate the clarification on the issue of a change.

I will just clarify my own remarks, that I agreed with the sentiment that came out in this final rule that we did not need to make this exemption for the data.

I would like to yield 1 minute to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I rise in support of the Health Insurance Industry Fair Competition Act.

Mr. Speaker, I would like to thank Chairwoman SLAUGHTER for allowing me to speak today, along with Representative PINGREE.

Each month we hear of record profits for insurance companies and their CEOs, while we see health care costs rise for middle class families. One reason for this unjust discrepancy is the antitrust exemption status afforded to big insurance allowing them to create their own market and set their own prices.

A middle class family that has to choose between paying doctor bills and feeding their children is not a Democratic or Republican issue, and neither is extending quality care to those who do not have it.

I have 27 years of experience in the health care industry, and I can tell you there is no rational, legal, or moral reason to grant these companies this status. In Congress, our top priority should be job creation, and taking away insurance companies' legal trust status will improve our system in the right way by lowering insurance costs for small business owners, and encourage them to create quality jobs.

Health care reform is a matter of fiscal responsibility. Without it, our nation is on track to spend 20 cents of every dollar we earn on health care. This current path is unsustainable and unacceptable.

Mr. Speaker, I would like to thank Representatives PERRIELLO and MARKEY for introducing the Health Insurance Industry Fair Competition Act. The bill is an important step toward creating jobs and strengthening our economy, and I urge support for the rule and for the underlying bill.

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

The debate that we've been having on this rule has brought up issues that we have been bringing up this entire session. Two major questions: No. 1, where are the jobs?—we keep asking that question—and, No. 2, what is the other side afraid of?

As Mr. LUNGREN pointed out, the bill that passed the committee passed with a bipartisan vote. People were very happy with it. They were very happy with his amendment.

And yet somewhere between that committee and here, the bill was changed substantially. We assume it was changed in the Speaker's office. But we don't understand what our colleagues are afraid of. Why are they afraid of debating this amendment? They can't even allow debate on something that they don't want in a bill.

And yet that's what the American people want from us. They are sick and tired of things being done behind closed doors. They want to see us debating things. They know we're going to have disagreements occasionally on philosophy, and that's fine. That's what this country's about. But people should be able to see the debate, instead of one or two people in this House making all the decisions for the 435 Members of the House.

Let me say a word also about, again, the underlying bill that this rule is dealing with. The bill is not going to accomplish what our colleagues across the aisle are saying. They're saying it's going to bring down the cost of health insurance and add more competition to the marketplace. In fact, the bill will probably do just the opposite.

Let me say what the Congressional Budget Office said when they reviewed H.R. 3596. They said, the bill could ''affect the costs of and premiums charged by private health insurance companies; whether premiums would increase or decrease as a result is difficult to determine, but in either case the magnitude of the effects is likely to be quite small. That effect is likely to be small because State laws already bar the activities that would be prohibited under Federal law if this bill was enacted.''

However, with the new language in the underlying bill and no CBO score, there's no telling what the effect will be.

And the reason we don't have a CBO score is because the bill was introduced, as I said, 2 days ago and brought directly to the floor under a closed rule. This is a pattern of the ruling party here. And ''ruling party'' is really the appropriate term, because that's how they act; that's how the party acts, as a ruling party.

We see this same thing happening with the new health care proposal from President Obama. Here we have from him what's basically a 10-page proposal which melds elements of the House and Senate-passed health care bills, along with a few new provisions. But both of those bills were written behind closed doors, no committee involvement, or very little committee involvement; none in the Senate, some in the House; but basically the bills written in the Speaker's office and in the Majority Leader's office.

However, the White House hasn't revealed any legislative text, and no CBO score is available. We can't pass a proposal in here. We must have exact legislative language.

Let me mention again the CBO and its reaction to the proposal put forth by President Obama. An article in the Washington Times entitled CBO: Obama Health Bill Too Sketchy published yesterday states:

''The administration did not post the bill's text on the White House Web site, but outlined what the legislation would do. It said the measure would cost $950 billion over 10 years.'' That's fine for the White House to say that, but we don't know that's what it's going to cost.

''The information wasn't enough for the nonpartisan Congressional Budget Office, the official keeper of budget costs, to even venture an estimate of the bill's price tag.

''''Although the proposal reflects many elements that were included in the health care bills passed by the House and Senate last year, it modifies many of those elements and also includes new ones,' CBO Director Douglas Elmendorf said in a blog post.''

□ 1130

The CBO goes on, ''Preparing a cost estimate requires very detailed specifications of numerous provisions. The materials that were released this morning do not provide sufficient detail on all of the provisions.'' So we don't have the information that we need in the Obama health care proposal either. This is the way this administration and this Democrat-controlled Congress is doing things.

I now would like to yield 3 minutes to my colleague from Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. I thank the gentlewoman from North Carolina for yielding me this time.

Mr. Speaker, I believe in enforcing our Nation's antitrust laws. And this bill has been improved since Judiciary Committee consideration. However, this legislation is still flawed, and in my opinion is meant to distract attention away from the fact that the majority is not working on the real issues

the American people want us to address. Americans want policies that will reduce premiums and increase the quality of health care services in the U.S. Unfortunately, it is questionable whether this bill will accomplish these goals.

I am also very disappointed in the rule for this bill, which was closed from the beginning, and blocks well-intentioned amendments offered by Republicans to make the bill better. Specifically, an amendment was offered by Representative DAN LUNGREN, a fellow member of the Judiciary Committee, to allow small health insurance companies to continue to be able to share historic loss data so that they can compete with big insurance companies. Under the text of the current bill, this type of sharing would be illegal, which would hinder new and smaller companies from entering the market, competing with the big guys, and offering lower premiums.

The shocking thing is that this amendment was actually adopted in the Judiciary Committee on a bipartisan basis. The provision was then stripped by the majority in this new bill. So stifling this amendment today represents the second time the majority has blocked Representative LUNGREN's amendment, which had bipartisan support, and which would have likely reduced health care premiums for citizens.

Instead of bringing flawed legislation to the floor, we should be working together to pass real reforms, like legislation to allow citizens to take their health insurance across State lines if they move, legislation to help those with preexisting conditions find affordable coverage, and legislation to curb frivolous lawsuits against doctors, which drive up health insurance premiums and provide increased costs due to defensive medicine.

The American medical liability system is broken. According to one study, 40 percent of claims are meritless: either no injury or no error occurred. Attorneys' fees and administrative costs amount to 54 percent of the compensation paid to plaintiffs. The study found that completely meritless claims, which are nonetheless successful approximately one in four times, account for nearly a quarter of total administrative costs.

Defensive medicine is widely practiced and costly. Skyrocketing medical liability insurance rates have distorted the practice of medicine. Costly but unnecessary tests have become routine, as doctors try to protect themselves from lawsuits. According to a 2008 survey conducted by the Massachusetts Medical Society, 83 percent of physicians reported that they practiced defensive medicine. Another study in Pennsylvania put the figure at 93 percent. While estimates vary, the Pacific Research Institute has put the cost of defensive medicine at $124 billion. Others have arrived at even higher figures.

I urge my colleagues to oppose this rule.

We should be working to eliminate these hundreds of billions of dollars of waste from our medical system in order to drive down premiums to make health care more affordable. We should be working to help those with preexisting conditions get affordable coverage. Unfortunately, we are doing neither today. We can do better.

Mr. Speaker, while I may vote for this bill it could have been made better by an open rule and the allowance of the Lungren amendment. But this bill is hardly a cure all and there is so much more we could do if the majority would open up the health insurance process to good proposals that the American people support.

Ms. PINGREE of Maine. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentlelady for yielding.

Mr. Speaker, during this health care debate over the last 6 months, we have heard we should listen to our constituents. And you know, I did. I did 14 town halls in August, and they were attended by over 8,000 people. And there was one item of agreement between the extremes in the debate, between the folks representing the tea party and those representing single payer, and that was consensus that this industry, the health insurance industry, should not enjoy a special exemption under the law. They should not be able to collude to drive up prices, limit competition, price gouge consumers. They should play by the same rules as every other industry in America. And this archaic exemption from antitrust law passed in the 1940s should go to the dustbin of history. There was consensus on that.

Now come the Republicans, oh, wait a minute, we are not protecting the industry, we don't want to allow them to still have antitrust exemption, it is about the little guys. It is always about the little guys, isn't it? So let's give the little guys a loophole. And oops, wait a minute, the big guys can use the same loophole.

Now, the other thing I have heard is let's be bipartisan. Well, there is nothing much more bipartisan than the report of the Antitrust Modernization Commission from April 2007. This was a commission created by the Republican Congress when they controlled both the House and the Senate and the White House, with the members named by President George Bush and the Republican leadership of Congress. They came to the conclusion that this loophole that they are advocating here today should not exist.

I will quote briefly from the conclusions of the bipartisan Republican-created commission. They said, ''A proposed exemption should be recognized as a decision to sacrifice competition''—oops, I thought they were for competition—''and consumer welfare''—I thought they were for the consumers—''and should be allowed only if Congress determines that a substantial and significant countervailing societal value outweighs the presumption in favor of competition and the widespread benefits it provides.''

They go on to address their arguments and they say there are those who will argue the small companies that need aggregate data and all this, they will need the safe harbor. They say, no, actually not. This again is the Republican-created commission. ''Like all potentially beneficial competitor collaboration generally, however, such data sharing would be assessed by antitrust enforcers and the courts under a rule of reason analysis that would fully consider the potential procompetitive effects of such conduct and condemn it only if, on balance, it was anticompetitive. Insurance companies would bear no greater risk than companies in other industries engaged in data sharing and other collaborative undertakings. To the extent that insurance companies engage in anticompetitive collusion, however, they would then be appropriately subject to antitrust liability.''

They want to give a safe harbor that is so big that the Justice Department could never review it. They are objecting to the fact that the Justice Department might look at, investigate, the activities surrounding data sharing and potential collusion by the industry that continues to price-gouge consumers and benefit unreasonably and profit unreasonably. They want to create that loophole. That loophole is unnecessary.

If you adopt that loophole, we might as well just not pretend that we care about consumers, consumer welfare, and that we are going to meaningfully address this industry playing by the same rules as every other industry. This industry should play by the same rules as all others, plain and simple. Americans get that. They are not happy with seeing their health insurance double every 10 years, or now it is more on a doubling rate of 3 to 5 years. They know that they are being taken to the cleaners. They know the industry is trying to cherry-pick. They know there is anticompetitive activity going on. It is time for that to change. No loopholes.

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

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, for 65 years health insurance companies have enjoyed a special interest exemption from laws prohibiting price fixing, bid rigging, and carving up the insurance market. Consumers' health insurance premiums go up, while coverage gets worse and worse. In the past six years, health insurance premiums have increased at a rate four times the increase in the average American worker's wages.

Twenty-seven years ago, as a young Texas State Senator, I authored the Texas Free Enterprise and Antitrust Act. But one industry, one industry among all others, was exempted because of this Federal law. So no action could be taken against the anticompetitive practices of one industry,

the insurance industry. And we see the results. In the last decade, health insurance premiums in Texas have gone up over 100 percent.

Protecting consumers and fostering competition are American values. Families and small businesses will benefit when the health care industry has to compete like other industries. With this reform and a newly reinvigorated Department of Justice, which forgot about antitrust enforcement under the Bush administration, together we can now have the oversight that was overlooked for eight years under that administration.

Hopefully, President Obama will correct a major omission in the health care legislation that he proposed by including this vital reform—repeal of the antitrust loophole for the health insurance industry. It is time for competition. It is time for open markets. And it is time to block the closed-door collusion that Americans are paying for in higher and higher premiums by letting competition work.

Ms. FOXX. Mr. Speaker, I continue to reserve my time.

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, members of the House, we have before us a very simple but extremely important proposal by our Republican colleagues to provide the insurance industry with the opportunity to continue to collude, to set prices, and to harm the consumers. Call it a safe harbor. It is indeed a very safe harbor to do what is illegal in every other portion of the American economy except for baseball.

So why should we approve what the Republicans want here? No good reason at all. Competition is necessary. A safe harbor is specifically designed to allow the insurance companies to continue to gather specific information that they then use to set prices and to collude and to harm the consumers as well as the providers.

There are two cases out there over the last decade in which the industry has clearly colluded and harmed providers, a case in New York and another case that was put against the insurance companies by the doctors. This proposed amendment by Congressman LUNGREN would harm both the providers as well as the consumers, and provide a safe harbor to do what is illegal in every other part of the American economy, that is to set prices. We ought not to do it. We ought to put this aside.

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman from California.

Mr. DANIEL E. LUNGREN of California. Could I just ask my friend from California, isn't it true that if there was collusion utilizing this information, that would still be prosecutable under the amendment that I suggest because it is prosecutable at the present time under State action theory and has been pursued by various States?

Mr. GARAMENDI. The proposed amendment opens the door for collusion. It gives the tools for collusion to the companies. We ought not do that. And there is no other part of the American economy that such collusion and such an open door and invitation to collusion is provided.

Ms. FOXX. I yield 30 seconds to the distinguished gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Well, I know we have had people on this floor who say they have no expertise but they say this amendment does certain things. I did spend 8 years as the Attorney General of California. We had the most active antitrust public law office in the country other than the U.S. Justice Department.

I might just say, this is the first time I have ever heard that Jack Brooks was presenting legislation on the floor of the House or in Judiciary that was to protect insurance companies or allow collusion. The language I used is taken from the Jack Brooks bill. The language I use is specifically the language that was adopted on a bipartisan basis and said by the chairman of the Judiciary Committee was an excellent clarifying amendment.

□ 1145

Ms. PINGREE of Maine. I yield 30 seconds to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. When my colleague from California was attorney general, I was insurance commissioner, and we had a grand fight over this very issue, the very issue of whether the State of California would allow the insurance companies to continue to use rating bureaus to get their price information and to continue to set prices in what could be a collusion. We put that aside. The regulations that I put into effect were adopted, and the end result was, when they could no longer use a rating bureau, which this proposal would allow, the prices began to drop in homeowners and auto insurance in California.

Ms. FOXX. Mr. Speaker, I yield 30 seconds to the gentleman from California.

Mr. DANIEL E. LUNGREN of California. The fact of the matter is that under the law under this bill, the State action still applies, State action principles still apply. States can still do what they will, including what the gentleman talked about before. So this is a red herring.

This is so silly that you would take something that got bipartisan support, unless you're suddenly suggesting that the chairman of the Judiciary Committee has a secret plan to somehow allow the insurance companies to gouge people and that Jack Brooks had that secret plan. This is total nonsense, to bring a bill to the floor and take out an essential element from committee and then suggest, when you want to put it back in committee for revision, you're trying to protect somebody.

Ms. PINGREE of Maine. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. I thank the gentlewoman from Maine (Ms. PINGREE). I appreciate her courtesy in allowing me to speak.

Mr. Speaker, this is an important, important issue. It is at the crucible of this entire debate on health care. And the crucible is this: We must bring down the cost of health care. And in a free economy, the surest way of bringing down the cost of a product or a service is through competition.

The antitrust laws were put on the books during Standard Oil with John D. Rockefeller to break that up so we could bring competition. Here we have now, almost a hundred years later, the only industry that is exempted from antitrust is the insurance industry, the health insurance industry. Surely we can agree on this.

Mr. Speaker, let me just say one other thing, too, to my friends on the other side of the aisle. It was a great Republican who said a house divided against itself shall surely fall. Well, this Nation is tired of seeing us divided. They want to see us find something, one or two things, that we can agree on. America is yearning for Republicans and Democrats to come together on something that will help bring down the cost of health care insurance, and nothing will more surely do that than to remove this exemption from antitrust that is beholden to the insurance companies. As long as they have it, they are free to do the monopoly. They are free to price fix.

We can agree on both sides of the aisle here today to bring down the cost of health care insurance by removing this exemption.

Ms. PINGREE of Maine. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, Mr. SCOTT just made Mr. LUNGREN's case for him as far as I'm concerned. He just said we want to work together on issues. Mr. LUNGREN said that's what we've done. A bipartisan amendment passed. The Democrats took the bipartisan amendment out of the bill.

We want to work together. Many Republicans are going to vote for this bill. I hope they won't vote for the rule, because it's a bad rule, but they will vote for the bill.

The Democrats, time and again, tout their plan will increase competition and lower premiums. We don't think that's true.

I want to urge the American people to read the summary the White House has put out on their bill and see the increased Federal control of health care in this country.

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

Ms. PINGREE of Maine. Mr. Speaker, I thank my colleague on the other side of the aisle.

We've heard a variety of reasons and excuses today about why this bill shouldn't pass, whether it was about the committee process or a loophole, debating it back and forth. But the fact is we cannot have meaningful health care reform in this country until we finally decide to put an end to insurance company greed and insurance company monopolies. We must stop companies like Anthem who demand rate increases that are many times the rate of inflation, which puts health care insurance out of reach for many, many Americans.

I urge a ''yes'' vote on the previous question and on the rule.

Mrs. BIGGERT. Mr. Speaker, I rise today in opposition to this closed rule for H.R. 4626, the Health Insurance Industry Fair Competition Act. Last night, I offered an amendment to crack down on fraud in Medicare, which costs taxpayers as much as $50 billion a year. My language, an update of my bill, the Medicare Fraud Prevention and Enforcement Act of 2009, was actually endorsed by President Obama in the White House blueprint that was released early Monday. It was most recently included in the Medical Rights and Reform Act, introduced by my good friend Mr. KIRK.

This amendment would have reduced waste, fraud and abuse by strengthening the Medicare enrollment process, expanding certain standards of participation, and reducing erroneous payments. The amendment also provides additional tools to pursue fraudulent healthcare providers, suppliers and billing agencies. These are bipartisan goals, and my language has true bipartisan support. Unfortunately, Democrats on the Rules Committee refused to even allow an up-or-down vote on the House floor that would have added this important, cost-cutting measure to a bill that is otherwise lacking in substance.

I expect more political healthcare votes in the coming weeks, and I am prepared to offer my piece of the Obama healthcare plan as an amendment each time. If Democrats are serious about reducing costs and passing standalone bipartisan solutions, then I ask them to accept my language. The billions in waste that we save could go a long way toward providing health insurance for the millions of Americans who cannot afford it.

I urge my colleagues to oppose this closed rule.

Ms. PINGREE of Maine. I yield back the balance of my time.

Ms. FOXX. The gentlewoman from Maine did not yield time to me so that I could explain that I did not urge opposition to the underlying bill but only the rule.

Ms. PINGREE of Maine. I move the previous question on the resolution.

The previous question was ordered.

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

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

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 1098 will be followed by 5-minute votes on motions to suspend the rules on:

House Resolution 1074; and

House Resolution 944, if ordered.

The vote was taken by electronic device, and there were—yeas 238, nays 181, not voting 13, as follows:

[Roll No. 60]

YEAS—238

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—181

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

NOT VOTING—13

Barrett (SC)
Blunt
Buyer
Clay
Dingell
Higgins
Hoekstra
Moore (WI)
Pitts
Radanovich
Reichert
Spratt
Stark

□ 1215

Messrs. KIRK and SIMPSON changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE LIFE OF MIEP GIES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1074, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCMAHON) that the House suspend the rules and agree to the resolution, H. Res. 1074.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 61]

YEAS—421

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Barrett (SC)
Blunt
Clay
Dingell
Hoekstra
Pitts
Radanovich
Reichert
Rothman (NJ)
Stark
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1224

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES ON RELIGIOUS MINORITIES IN IRAQ

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 944, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCMAHON) that the House suspend the rules and agree to the resolution, H. Res. 944, as amended.

The question was taken.

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

RECORDED VOTE

Ms. PINGREE of Maine. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 415, noes 3, not voting 14, as follows:

[Roll No. 62]

AYES—415

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)

McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—3

Broun (GA)
Flake
Paul

NOT VOTING—14

Barrett (SC)
Blunt
Clay
Dingell
Hoekstra
McMorris Rodgers
Miller (NC)
Murphy (CT)
Pitts
Radanovich
Reichert
Stark
Welch
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. MCCOLLUM) (during the vote). Members are reminded there is less than 1 minute left in this vote.

□ 1232

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Expressing the sense of the House of Representatives on the protection of members of vulnerable religious and ethnic minority communities in Iraq.''.

A motion to reconsider was laid on the table.

HEALTH INSURANCE INDUSTRY FAIR COMPETITION ACT

Mr. CONYERS. Madam Speaker, pursuant to House Resolution 1098, I call up the bill (H.R. 4626) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4626

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 ''Health Insurance Industry Fair Competition Act''.

SEC. 2. RESTORING THE APPLICATION OF ANTITRUST LAWS TO HEALTH SECTOR INSURERS.

(a) AMENDMENT TO MCCARRAN-FERGUSON ACT.—Section 3 of the Act of March 9, 1945 (15 U.S.C. 1013), commonly known as the McCarran-Ferguson Act, is amended by adding at the end the following:

''(c) Nothing contained in this Act shall modify, impair, or supersede the operation of any of the antitrust laws with respect to the business of health insurance. For purposes of the preceding sentence, the term 'antitrust laws' has the meaning given it in subsection (a) of the first section of the Clayton Act, except that such term includes section 5 of the Federal Trade Commission Act to the extent that such section 5 applies to unfair methods of competition.''.

(b) RELATED PROVISION.—For purposes of section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section applies to unfair methods of competition, section 3(c) of the McCarran-Ferguson Act shall apply with respect to the business of health insurance without regard to whether such business is carried on for profit, notwithstanding the definition of ''Corporation'' contained in section 4 of the Federal Trade Commission Act.

The SPEAKER pro tempore. Pursuant to House Resolution 1098, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 60 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 4626.

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

There was no objection.

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

Madam Speaker and my colleagues, the bill before us will allow, for the first time, competition to take hold in the health insurance marketplace, an important and vital step in the road to fixing our broken health insurance system and containing costs. I want to commend, in particular, my colleagues TOM PERRIELLO of Virginia and BETSY MARKEY of Colorado for working with our committee on this important effort.

Experience has shown that Congress—and we hate to admit having made mistakes in the past, but we did make an error in 1945 in adding an antitrust exemption into the McCarran-Ferguson Act at the last minute during the debate. Not many of you were here at that time, and neither was I, but leading consumer groups and senior citizen groups, State attorneys general and others for years have been urging that we in the legislature fix this error that has been made so long ago.

The bipartisan Antitrust Modernization Commission established by this body and President Bush in 2002 echoed this call in its 2007 report. And now, as we work to fix what everyone mostly agrees is a broken health insurance market, it is about time to bring into that market what is an essential ingredient of any well-functioning market—competition. And the way we make sure that happens here is the same way we made sure it happens in every other industry—to have the antitrust laws apply. These laws are the principal protector of free market competition and the prosperity it provides, the principal guarantee that businesses who want to offer choice and value to consumers can do so.

The blanket antitrust exemption in the McCarran-Ferguson Act shields health insurance companies from legal accountability for fixing prices, dividing up markets and customers they serve so as to deny meaningful choice, and using monopoly power to sabotage anyone who seeks to offer meaningful competitive choice to consumers. This, ladies and gentlemen, must end.

Antitrust court actions alleging each of these practices, and more, have been blocked routinely in the courts by invoking the McCarran-Ferguson antitrust exemption, and that is what we are here to repair today.

Now, an antitrust expert attorney, David Balto, with antitrust enforcement experience acquired both at the United States Justice Department and the Federal Trade Commission, has found that State insurance commissioners have not brought any actions in any State against health insurers for anticompetitive conduct during at least the last 5 years.

Health insurance premiums continue to spiral ever-upward each year, and copayments and deductibles keep taking further bites out of tight family budgets. Those families have a right to know that they are not being victimized by insurers any longer who should be competing to offer them choice and value but, instead, are, unfortunately, conspiring against them.

In its famous Topco ruling, the United States Supreme Court refers to the antitrust laws as the Magna Carta of free enterprise. The health insurance industry should not be exempt from them.

The Judiciary Committee has been working to remove this harmful exemption for a number of years. We made a lot of headway under the distinguished chairman, our former colleague, Jack Brooks of Texas, who

headed the committee after Peter Rodino and after Emanuel ''Manny'' Celler, and it is time to complete this effort in the area of health insurance since this is the number one subject, legislatively, before us being watched carefully by everyone in the Nation.

Last fall, our Judiciary Committee reported a similar bill which was incorporated into the comprehensive health care bill passed by the House. And so I commend my colleagues, Representatives Perriello and Markey, for their leadership in bringing this effort back to the House floor today as a free-standing measure.

With more and more people having to choose between having health insurance or food on the table, isn't it about time the health insurance companies' cozy antitrust exemption be taken off the books?

So I urge all my colleagues to support this long-overdue, pro-consumer legislation that will affect citizens and families in every State.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4626, the Health Insurance Industry Fair Competition Act, unfortunately doesn't do much. In fact, it has all the substance of a soup made by boiling the shadow of a chicken.

In his State of the Union address on January 27, President Obama challenged Congress to create a plan that ''will bring down premiums, bring down the deficit, cover the uninsured, strengthen Medicare for seniors, and stop insurance company abuses.'' The administration's health care plan does just the opposite. It increases premiums, increases taxes, and reduces Medicare benefits for seniors.

Will today's McCarran-Ferguson repeal bring down insurance premiums? No. The Congressional Budget Office says that ''whether premiums would increase or decrease as a result of this legislation is difficult to determine, but in either case the magnitude of the effects is likely to be quite small.''

□ 1245

So what's the point of the bill?

The CBO goes on to say that premium reductions from this bill are likely to be small because ''State laws already bar the activities that would be prohibited under Federal law if this bill was enacted.''

So what's the point of the bill?

The National Association of Insurance Commissioners pointed out that bid-rigging, price-fixing, and market allocation ''are not permitted under the McCarran-Ferguson Act, and are not tolerated under State law. Indeed, State insurance regulators actively enforce prohibitions in these areas.''

So, again, what's the point of the bill?

The McCarran-Ferguson Act's Federal antitrust exemption simply allows small and medium-sized insurers to aggregate information for underwriting purposes so they can compete effectively against larger companies. In other words, McCarran-Ferguson helps to promote competition by making small and medium-sized underwriters viable.

Eliminating the exchange of data provision that was included in earlier versions of this bill likely will impede new entry into the health insurance markets. This means that there could be less competition among health insurers.

That said, I believe, as does the Antitrust Modernization Commission, that antitrust exemptions should be rarely granted or created. Yet, if they are necessary, they should be written in as limited a way as necessary to meet a compelling public policy goal.

I can understand why some of my colleagues may want to support this bill, and given that it will have no meaningful impact, I don't oppose it. However, when repealing an existing antitrust exemption, we should be careful of the unintended consequences of our actions.

The majority has avoided one unintended consequence of this legislation by limiting its application solely to health insurers. Eliminating malpractice insurers goes a long way toward making this bill more reasonable. However, the majority should adopt further changes to this bill to demonstrate that they are more interested in legislating than in targeting an unpopular industry for no real policy reason.

Specifically, this legislation should be amended to define the term ''business of health insurance.'' Second, we should reinsert the exchange of data provision that was added to the bill in committee. Finally, we should clarify that this bill will not impinge upon State insurance regulations. None of these concepts are revolutionary. They were all included in earlier versions of this legislation that were passed by the House.

That said, if the majority really wants to help consumers, we should consider a measure that could actually achieve savings for patients: medical malpractice tort reform.

According to a study by the Harvard School of Public Health, 40 percent of all medical malpractice suits against doctors and hospitals are ''without merit.'' So every doctor must purchase malpractice insurance at great expense to protect themselves from frivolous lawsuits.

A Department of Health and Human Services study found that unlimited excessive damages add $70 billion to $126 billion annually to health care costs. Doctors are so concerned about frivolous lawsuits that they have to practice defensive medicine and order unnecessary tests and procedures. HHS estimates the national cost of defensive medicine is now more than $60 billion.

All of these expenses are then passed on to patients in the costs of health care. That is why some States, including my home State of Texas, have enacted tort reform, which limits the amount of excessive damages awarded in frivolous lawsuits. The result? Insurance premiums have fallen, and the availability of medical care has expanded. But this bill will do nothing to reduce the costs of health care.

Congress should set aside this bill, and it should take up lawsuit abuse reform, which could reduce health care costs for our constituents.

Madam Speaker, I reluctantly support this, unfortunately, ineffective bill.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, before I yield to SHEILA JACKSON LEE, I yield myself 1 minute because my dear friend, the ranking member, asked, What is the point of this legislation?

We have made a long list of points of this legislation. To begin with, it is to increase competition in the health care industry. It also is to shine a light on industry practices that are currently unavailable and undetectable because of the exemption. That's why we are on the floor today.

I yield 3 minutes to a distinguished member of the committee, the gentlewoman from Houston, Texas, SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank the distinguished chairman.

Madam Speaker, I rise to announce to the American public and to this body that, as we stand here today, over a year's time, 45,000 Americans die because they don't have health insurance. They don't have health insurance because the premiums have literally spiraled beyond any imagination. So, today, we are rising to create an opportunity for Americans to live and for lives to be saved because competition is the engine, not only of the economy, but it is the engine of better health care for all Americans.

Here is an example that shows how increased premiums are the complete opposite of commitment and service to our constituency: When the State of California passed a law in 1988 that eliminated the State antitrust exemption for the auto insurance industry, auto premiums for consumers in California rose 9.8 percent when the rest of the premiums in the Nation were going down. The Consumer Federation of America said that consumers would save over $50 billion in insurance premiums by repealing the 1945 McCarran-Ferguson Act.

I thank the distinguished colleague from our Judiciary Committee, Mr. PERRIELLO, for his leadership, along with many others.

Removing the antitrust exemption will not only enable appropriate enforcement against these unjust practices when they are uncovered, but it will also give all health insurance companies healthy competitive incentives so you as a family of four, as a grandmother, as a single parent can get the

insurance possible as we move forward in health insurance.

The attorney general of New York, in his investigation, found that insurance companies engage in collusion. That's why we need this. We want to break the rules so we can help doctors with lower premiums and medical malpractice and with shielding our constituency from these Godforsaken prices.

Let me tell you that we have seen this in action in the Ocean State Physicians Health Plan v. Blue Cross and Blue Shield. Citing this act, this antitrust prevention act, the First Circuit overturned a jury verdict against the dominant health insurer for using its monopoly power to put financial pressure on area employers to refuse to do business with a competing HMO. The First Circuit, because of the exemption, blocked any opportunity for competition. We need to change this, and we have found that this collusion is hurting us.

So, Madam Speaker, I would say to you that, in order to save lives, like the lives in my 18th Congressional District, where Texas is the poster child for the most uninsured, 1.1 million—it has the dubious honor of being the largest uninsured State in the Nation. My county, Harris County, as we fight over and over for health insurance, does not have people who are insured. So this will help bring, along with the health reform that we will pass in the next couple of weeks, the idea of saving lives and of providing for our children and our families.

Chairman CONYERS had the single-payer bill. That was the initiative that should have gone forward, but now we have a way of saving lives. This is fiscally secure, and it provides security to those who are in need. I ask that you support this legislation to, again, save lives.

Madam Speaker, I rise in support of H.R. 4626, Health Insurance Industry Fair Competition Act, a bill designed to restore competition and transparency to the health insurance market—by repealing the blanket antitrust exemption afforded to health insurance companies by the McCarran-Ferguson Act of 1945. Today 45,000 people a year die without health insurance and they die because they do not have health insurance! This is a matter of life and death.

Madam Speaker, competition is the engine that drives our economy, spurs innovation, and ensures that the American consumer receives a fair deal on goods and services. There is significant evidence that removing the antitrust exemption will increase competition in the insurance industry and will result in lower prices and other benefits for consumers. In fact, experience has shown time and time again the benefits of increased competition in the form of lower prices, increased choice, and greater innovation.

A healthy and competitive health insurance market will drive prices down in the health insurance industry, just as we have seen it do in so many other industries where competition is allowed to take hold. For example, since the state of California passed a law in 1988 that eliminated the state antitrust exemption for the auto insurance industry, auto premiums for consumers in California have risen by only 9.8% while the rest of the country has seen auto premiums rise by over 48 percent. The Consumer Federation of America has said that consumers would save over $50 billion in insurance premiums by repealing the 1945 McCarran-Ferguson Act for all lines of insurance. Further, it is estimated that subjecting health insurance companies to federal antitrust laws would lower premiums by 10% or more.

Removing this antitrust exemption will not only enable appropriate enforcement against these unjust practices when they are uncovered; it will also give all health insurance companies healthy competitive incentives that will promote better affordability, improved quality, increased innovation, and greater consumer choice, as the antitrust laws have done throughout the rest of the economy for over a century.

The antitrust exemption was enacted in 1945, as part of legislation whose main purpose was simply to reaffirm the authority of States to regulate insurance for the protection of their citizens. The antitrust exemption was quietly inserted at the end of the legislative process, in conference committee. As a result, insurance companies have been shielded from legal accountability for price fixing, dividing up territories among themselves, sabotaging their competitors in the marketplace in order to gain monopoly power, and other practices that unjustly harm consumers. Moreover, antitrust court actions alleging each of these practices, and more, have been blocked by invoking the McCarran-Ferguson antitrust exemption.

For far too long, the health insurance industry has played by a different set of rules. Shielding health and medical malpractice insurance companies from federal antitrust laws is a practice that must end.

Madam Speaker, the American public agrees that the special treatment the anti-trust exemption affords insurance companies must come to an end. A recent Rasmussen poll found that 65% of Americans favored removing the anti-trust exemption for health insurance companies. Of those polled, Democrats supported subjecting insurance companies to antitrust laws by a seven-to-one margin. Sixty-four percent (64%) of independent voters and 58% of Republicans also believe insurers should abide by antitrust laws. This data demonstrates that there is bi-partisan public support for demanding that health insurance companies play by the same rules as other companies in America.

Madam Speaker, I agree with the majority of the American public that shielding health and medical malpractice insurance companies from federal antitrust laws is a practice that must end. Eliminating the anti-trust exemption for the health care industry is a vital step toward reforming health care, lowering prices for consumers and doctors, and leveling the playing field for American businesses.

The Consumer Federation of America has said that consumers would save over $50 billion in insurance premiums by repealing the 1945 McCarran-Ferguson Act for all lines of insurance. Further, it is estimated that subjecting health insurance companies to federal antitrust laws would lower premiums by 10% or more. Moreover, in addition to bi-partisan support amongst the American public, repealing anti-trust exemptions for all health insurance is supported by conservative political leaders as well such as Governor Bobby Jindal of Louisiana, Senator JOSEPH LIEBERMAN, and former Majority Leader Trent Lott.

This bill is also necessary because, over the years, health insurers have been able to use this antitrust exemption to block court actions regarding anti-competitive behavior. For example, in Ocean State Physicians Health Plan, Inc. v. Blue Cross & Blue Shield of Rhode Island, the First Circuit Court—citing the McCarran-Ferguson antitrust exemption—overturned a jury verdict against the dominant health insurer for using its monopoly power to put financial pressure on area employers to refuse to do business with a competing HMO.

Removing this antitrust exemption is supported by key law enforcement groups, including the National Association of Attorneys General. In 2007, the National Association of Attorneys General—representing both Democratic and Republican State Attorneys General—overwhelmingly adopted a resolution calling for repealing this exemption. As the resolution pointed out, ''the National Association of Attorneys General consistently has opposed legislation that weakens antitrust standards for specific industries because there is no evidence that such exemptions promote competition or serve the public interest.''

In addition, in a recent letter to Congress, nine State Attorneys General pointed out, ''Since 1977, and most recently in 2007, antitrust experts and enforcers have concluded that repealing the McCarran-Ferguson exemption would result in enhancing competition while allowing standard industry practices necessary for the proper functioning of these markets, such as sharing loss and other insured risk information.''

Removing this antitrust exemption is also supported by leading consumer groups. Numerous consumer groups—including the Consumers Union, Consumer Federation of America, U.S. PIRG, Center for Justice and Democracy, and Public Citizen—strongly support removing this antitrust exemption. In a joint letter to Congress, consumer groups pointed out that, under this legislation, health insurance companies ''would be required to play by the same rules of competition as virtually all other commercial enterprises operating in America's economy.''

In closing, I want to also take this time to reiterate my support for a public health care plan that covers every one of the 47 million people who live in our great nation without health insurance. Madam Speaker, my state of Texas has the dubious honor of being the uninsured capital of the nation. Further, with more than 1.1 million of the nation's uninsured living in my own county, Harris County, I represent what some have labeled as ground zero of the health care debate. Thus, the issue of universal health care coverage—something that would have been achieved by Chairman CONYERS' Single Payer bill, which I supported, is more than an empty slogan; it's a matter of fiscal and physical life and death to the people of the 18th Congressional District. Therefore, no matter how the pending debate over the details of the health reform bill winds up, my constituents can count on me to continue fighting and continue working together with my colleagues of both parties, to ensure that everyone in my district, in Houston, in Texas, and in America has access to affordable and quality health care.

Mr. SMITH of Texas. I yield myself 1 minute.

Madam Speaker, let me say that I always appreciate what my colleagues state on the House floor, and I appreciate their good comments during debate. To the extent that they want to increase competition among insurance companies and want to reduce insurance premiums, I completely agree with them, but we should not think that any of those comments or any of those desires or any of those goals have anything to do with the bill that we are considering here today.

Once again, in case some of my colleagues missed it, let me read what the Congressional Budget Office said about this legislation. They said, ''Whether premiums would increase or decrease as a result (of this legislation) is difficult to determine, but in either case, the magnitude of the effects is likely to be quite small.'' So this bill has no point.

Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin, the former chairman of the Judiciary Committee, Mr. SENSENBRENNER.

Mr. SENSENBRENNER. Madam Speaker, listening to the arguments that have been advanced by the proponents of the bill, all I can say is what you hear is not what you are going to get if this bill is enacted into law.

There is a reason this antitrust exemption has survived now for 65 years, which is that it actually has encouraged competition because it allows smaller insurers to use the actuarial data that larger insurers are able to amass. If the smaller insurers can't get this actuarial data, which is what will happen if this bill is enacted into law, then they will either be gobbled up by the larger insurers, which get the data in-house, or they will go out of business. As a result, there will be less competition rather than more. So what you hear today about competition is not what you are going to get if this exemption is repealed.

Now, repealing the limited exemption that health insurance carriers have under the McCarran-Ferguson Act is, at best, going to change little and, at worst, is going to be counterproductive. As the CBO concluded in October, repealing the exemption would have little or no effect on insurance premiums because State laws already bar the activities that would be prohibited under Federal law should the bill be enacted. Instead, additional regulatory burdens on insurers will likely be passed on to the policyholders in the form of higher premiums.

This, my friends, is the majority's higher health insurance premium bill in the name of competition. It's not going to happen. The bill would subject to new Federal enforcement a variety of ongoing collaborative practices among health insurers which are currently permitted by the States because they allow the small insurers to compete.

Now, shouldn't we be for small insurers? Shouldn't we be for having new companies enter the market? This bill will prohibit that.

Small insurance companies rely on the data collected from their larger competitors, and share it industrywide in order to accurately set their rates. However, this would be forbidden under the bill. If small insurers can't get the data, further consolidation is likely. Small insurance will either merge to gain a competitive edge or get swallowed up by the big insurance giants. Again, the majority is putting together an insurance company consolidation bill—less competition rather than more. Worse, a repeal could result in the small insurers' going out of business altogether. Meanwhile, for the big insurance companies, the big, bad insurance companies with the means to collect and analyze this data in-house, it would simply be business as usual.

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

Mr. SMITH of Texas. I yield the gentleman an additional 2 minutes.

Mr. SENSENBRENNER. This legislation attempts to solve a problem that doesn't exist.

First, there is no evidence that the exemption has increased health insurance prices or profits or that it has contributed to higher market concentration. Second, the effort to repeal McCarran-Ferguson is based on the belief that it allows individual insurers to collude on prices and policy coverage.

State laws prohibit insurers from bid-rigging, price-fixing and market allocation to restrain competition. State insurance regulators actively enforce the prohibition in these areas, and this legislation would only add another layer of Federal regulation and litigation to an industry that operates under a robust and well-established State regulatory regime.

There are ways, however, to promote competition in the health insurance market. One change Congress should consider is permitting individuals and businesses to buy their health insurance policies from any willing provider in any State. Under current law, an insurance firm registered in one State may not cover individuals in another without registering in the second State and being subject to all its taxes and laws. This raises the cost of doing business across State lines, and it prevents many smaller or mid-sized companies from entering the markets to compete. Simply put, this is not the type of reform that is needed, and it is not the type of reform that Americans were promised.

□ 1300

I challenge my colleagues on the other side of the aisle, Madam Speaker, to come up with commonsense reforms, one that will do in fact what appears in speech. This bill fails on both counts.

Mr. CONYERS. Madam Speaker, the former chairman emeritus has raised a number of points that amount to verbal jujitsu that I will be addressing very shortly, but for now I yield 3 minutes to the distinguished chairman of the Judiciary Subcommittee on Courts and Antitrusts, a former magistrate in the courts of Georgia himself, Subcommittee Chair HANK JOHNSON.

Mr. JOHNSON of Georgia. I thank the chairman for yielding.

Madam Speaker, last week I was shocked to learn that in the middle of the great recession, which was caused by the deregulation, hands-off policies of the prior administration, and during this time when families across my district and across the Nation are struggling with rising unemployment and while health insurance companies have recently announced that last year was their best year on record as far as profits are concerned, $12 billion last year in profits for the insurance industry, and while that's the case, they are announcing plans to raise insurance premiums by 40 percent in some markets. During this time of hurt and pain and also making money by the insurance industry off these people who are hurting and in pain, we are considering today removing the antitrust exemption that insurance companies have enjoyed for over 60 years. And it's time for this protection and immunity from antitrust law and this anticompetitive behavior, it's time for it to come to an end.

This insurance industry which delivers health care to the people has been broken for a long time. We all know it, and it's time to change it. And this is a good place to change it. It will help with competition if we pass this law today. That will happen only if we start applying anticompetitive, antitrust legislation to the insurance industry. There's simply no reason why they should continue to benefit from it.

Don't listen as the health insurance industry tries to tell you that they can't live under the antitrust laws. Every other industry does. It's high time that they do too. Consumers will benefit, the economy will benefit, and health insurance insurers who want to compete honestly will too.

Let's give struggling American families an honest health insurance market by enacting this important bill.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), a senior member of the Judiciary Committee.

Mr. DANIEL E. LUNGREN of California. I thank the ranking member for the time.

Let me say at the outset, I do not believe that health insurance companies should be exempt from our Nation's antitrust laws. As one of those who believes and hopes that those applauding would join me in supporting the idea of buying health insurance across State lines, when we reach that accomplishment, I think it is appropriate for us not to have a Federal antitrust exemption.

When health care has been primarily and in a very real sense exclusively the

province of the States, under their jurisdiction, the attorney generals of the States have retained the ability to enforce the antitrust laws of those States. So we're entering a new era, I would hope, where we would be able to, if, in fact, this one Republican idea finds its way into legislative enactment, find an opportunity to extend the universe of decisions that might be accessed by individuals or their employers by way of insurance policies that may be available in other States.

My intention is to vote in favor of this bill. However, my concern is that the bill before us is not nearly as good as it should be because normal bipartisan committee process has been circumvented.

As has been noted by some in advancing this bill, I did vote in favor of the Health Insurance Industry Antitrust Enforcement Act of 2009 when it marked up in the Judiciary Committee. At that time, I offered an amendment to the bill to allow the sharing of historical data and the performance of actuarial services by insurance companies. Not future trending data but rather looking-backward historical data. At that time, it was adopted unanimously by the committee, therefore, on a bipartisan basis. Our distinguished chairman of the committee supported my amendment, which he described at the time as ''a helpful clarification.''

If there's one thing that we ought to understand when we have this downturn in the economy, if you want to make sure things don't happen in the private economy, insert uncertainty. If you want to make sure that things cost more than they otherwise would, insert uncertainty. And that's what we are doing by not allowing that in the bill before us.

In fact, I should point out to my friends on the other side, section 262 of your health care bill, your health care bill, adopted on this floor, allowed for the sharing of such information. It contained the language of my amendment. Unfortunately, for whatever reason, it has been held out of the bill before us.

Unless anyone thinks I have risen to speak because of sour grapes because my amendment with my name on it was not included in this bill, let me clarify the case. I can give you assurance that is not the case for the simple reason that I cannot take personal credit for the guts or the contents of this amendment.

The truth of the matter is that the hard work done to repeal the McCarran-Ferguson Act began with the efforts of then Chairman Jack Brooks, Democratic chairman, in the 101st, 102d, and 103d Congresses. Ironically, at the beginning of our committee markup, our chairman described the repeal of McCarran-Ferguson ''as a tribute to Jack Brooks.'' So if we really wish to pay tribute to Jack Brooks, and I believe we should, perhaps a good place to start would have been to allow an amendment to include Chairman Brooks's language in any legislation before us. I'm hopeful that the motion to recommit might contain that language, and I would hope that people would set aside partisan differences and support it.

So aside from the issue of the denigration of the committee process—and I think that's an important thing we ought to take into consideration. The subcommittee, committee, you act on this bill. You debate it. You consider amendments. You vote out the amendment on a unanimous bipartisan vote. Then you have bipartisan support for the bill as it comes out of committee. And then what happens? It's changed before it comes to the floor. And we had one of the members of the Rules Committee say she wasn't going to engage me in debate because, she said, I don't have the expertise on this issue. So I presume that means if you have expertise, and that's what committees are supposed to have, you ignore that so you can come to the floor and not allow debate utilizing that expertise because you prohibit that amendment from being considered on the floor.

H.R. 4626 will have precisely the opposite effect of its stated intention if, in fact, the notion of sharing historical data is not considered appropriate and legal. The economics of the insurance industry are such that companies depend on information. Why? In order to enable them to price their products. They have to base it on something.

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

Mr. SMITH of Texas. Madam Speaker, I yield the gentleman 2 additional minutes.

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

It is better if they have actual data upon which to make their decisions.

And here's the rub: As was mentioned by the gentleman from Wisconsin, it is the small companies which depend on the availability of information the most. Smaller companies simply do not have a sufficiently large volume of information to price their products efficiently. So it's for this reason that it is of the utmost importance that insurers have the ability to share historical data.

Now, am I just saying this? No. In this record, a Congressional Research Service report raises the possibility that were such data not available to small insurance companies, we might see the ironic outcome of further concentration in the insurance industry. Again, not my conclusion; the conclusion of the Congressional Research report done most recently.

So, yesterday I did approach the Rules Committee to ask my amendment, the Brooks amendment, as I call it, be restored to the health insurance antitrust bill. And even though it was approved unanimously by my colleagues on the Judiciary Committee, my request was inexplicably rejected by the Rules Committee.

This is not the way, I would say, Madam Speaker, that this body should do business. Let's respect the integrity of the institution and the work that has been done in the duly established committee process.

I would hope that when this part of the recommittal motion is discussed, we'll discuss it in light of the history of this bill—the language taken from the Jack Brooks bill; the language taken from the majority's health care bill passed just this year.

Mr. CONYERS. Madam Speaker, I yield myself 2 minutes.

I want to respond to the senior member of the Judiciary Committee, a former attorney general of California and a friend of all of us on the committee, an effective member, and all I want him to know is that we approved his provision in the Judiciary Committee because we thought it was a good provision. It was unanimous. I don't recall that anyone voted against it or spoke against it. The problem, though, is that when we got to the Rules Committee, our leadership on both sides of the aisle, I hope, had come up with another bill and that bill omitted it. We were not able to get that put back in.

We think that their reasoning is not altogether strange or out of order or violating any procedure, but here's what it was. This is what they told me: They said, if there are no antitrust exemptions in this measure, then you don't need to specifically retain a part of the antitrust exemption relating to the safe harbors provision, because if it isn't an antitrust provision, they aren't going to be affected anyway.

So it's in that spirit that I appreciate the comments of the gentleman from California, and I hope that we can continue to work together as much as we can, and perhaps the final vote here will be more bipartisan than many thought that it would.

Madam Speaker, I now would like to yield 2 minutes to a senior member of the Congress from Iowa (Mr. BOSWELL).

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

Mr. BOSWELL. I thank the chairman for this opportunity. I appreciate it.

Madam Speaker, I rise today in support of the Health Insurance Industry Fair Competition Act.

An original cosponsor of this legislation, I believe that our health insurance companies need to be held to the competitive standard our free market demands.

For too long, these companies have told our constituents what they will insure and what they will be paid. Just recently, 80,000 Iowans were told that their insurance rates would jump by an average of 18 percent, with many facing increases of as much as 25 percent. These same individuals have seen their rates increase by 10½ percent each year since 2005.

I insist that light be shed on the pricing of health care costs and that consumers have access to how their premiums and copays are determined. I

would particularly like this information for my constituents whose premium increase is twice what it was in 2009.

Iowans in the Third District are struggling to make ends meet. They deserve to know how a company can spend as much as perhaps $200 million on a new headquarters and turn around and double their premium increases from 2009 to 2010 and then claim these two things have nothing to do with one another.

□ 1315

Our support for this legislation will make it illegal for companies to price fix, practice bid rigging, and market allocation simply to drive up costs on American consumers.

Mr. SMITH of Texas. Madam Speaker, first of all, I just want to say that I appreciated what the chairman of the Judiciary Committee just said a minute ago to Mr. LUNGREN. I understood him to make very positive comments about the so-called Brooks-Lungren amendment. And I hope that that augurs well for the majority's accepting our motion to recommit at the end of this debate. At least I would expect that.

At this point, Madam Speaker, I will yield 3 minutes to the gentleman from New Jersey (Mr. GARRETT), a member of the Budget Committee and the Financial Services Committee.

Mr. GARRETT of New Jersey. Madam Speaker, I rise in opposition to the bill for a number of substantive reasons. But also, quite honestly, after hearing the comment from the gentleman from California, I also was about to say I rise with concerns as to the process as well.

I appreciate the ranking member's comment as far as potentially moving forward on this. I too have been there in the past, where we do things in committee, in the relevant committees I serve on, serve on Financial Services Committee and have agreements with the other side of the aisle and with the chairman specifically of Financial Services, with Chairman FRANK, and then things go to the Rules Committee, and I don't know whether it was a bipartisan obstacle in this case, but be it as it may, problems happen with Rules Committee. And I can tell you with my working with Chairman FRANK, he was able to actually get things done then on the floor as far as the substantive amendments done here to get it done. So I hope that we see similar action with regard to this as well that we have seen in other committees.

But I do rise in opposition or concern about this bill with regard to the repeal of the McCarran-Ferguson aspect. And I do so for three points. One has been touched upon, but I want to go into a little bit more detail with regard to the CBO. CBO, Congressional Budget Office, nonpartisan entity, has noted the States already have the laws on the books to prevent what we are really trying to deal with here, price fixing and bid rigging, et cetera.

Furthermore, State insurance commissioners already typically review the rates charged by insurance companies. So what does this basically mean in a nutshell? Basically, States are working in this direction already, and that the passage of this legislation will have a minimal positive impact.

Just a side note. When we talk about State insurance regulation in general, you have to remember when we are talking about the financial situation that we are in right now, it was not the fault of the State regulators of the financial marketplaces that brought us to where we are, it is the fault largely to errors and omissions in the Federal regulators. So if we are trying to cast blame or aspersion on any regulators out there, it should not be on the State regulators, because in essence they have done their jobs, and we should not be throwing other impediments to that getting done.

Second point, someone already mentioned about a report out of the CBO. Let me go into a little bit more specifics about what the CBO said with regard to costs. CBO said, and I quote, ''To the extent that insurers would become subject to additional litigation, their costs and thus their premiums might increase.'' Let me repeat that. Their premiums might increase. So to all the points of the other side of the aisle saying that we are doing this with the good intention of trying to get premiums to come down, what do the experts, the nonpartisan CBO, say? Just the opposite, premiums might go up. So the conclusion there is here is a case where increased litigation costs would actually drive up the cost of insurance, and not bring it down.

Third and final point, touched upon a little bit, and let me go in more detail. This legislation could have the effect of shutting out new entrants, not folks already there, but shutting out new entrants into the marketplace.

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

Mr. SMITH of Texas. Madam Speaker, I yield the gentleman 2 additional minutes.

Mr. GARRETT of New Jersey. Thank you.

This legislation would have the effect of shutting out new entrants into the marketplace. The other side of the aisle has already talked about the fact that they want to have greater competition in this area of health insurance, and I am assuming insurance across the board. But what this will do, as the gentleman and others have already said on the floor, is basically say to the new entrants, to the small companies who want to get into this marketplace, to be able to compete against the large entrenched companies that are already there, you are pushed out, you are locked out. So is that what we want to do with this legislation? That will be the impact.

Let me conclude then. In a letter to Speaker PELOSI, the National Association of State Insurance Commissioners says the following: ''The business of insurance, while exempted from Federal antitrust law, is still subject to State antitrust enforcement actions.'' That is important. ''In fact, even if the McCarran-Ferguson antitrust exemptions were repealed, the State action doctrine exempting them would continue to apply. The most likely result of this repeal would therefore not be increased competition, but a series of lawsuits testing the limits of the State action doctrine, with associated litigation costs being passed along to the consumers in the form of higher premiums.''

The conclusion, Madam Speaker, is more litigation, more harmful consolidation, and more increase to the cost to the consumer, all things that we should be working to oppose. And that is why I do not support the underlying legislation.

Mr. CONYERS. Madam Speaker, no one has worked harder on this measure that is not a member of the Judiciary Committee than PETER DEFAZIO of Oregon. And I yield to him 3 minutes.

Mr. DEFAZIO. I thank the distinguished chairman for bringing this issue before us.

We have heard on the Republican side this is just about the little guys. They only want to help the little guys. Except that the loopholes that they would create with the Lungren provisions could be used by the big guys. So if you like the status quo, if you like the fact that some of the largest insurance companies in America saw their profits go up by 56 percent last year, if you like the fact that in many States we are seeing huge, double-digit increases, over 50 percent in Michigan, 40 percent in California, 20 percent in my State, if you think the system's working today, then you should support Mr. LUNGREN's idea, preserve the status quo. That is what they are saying. Keep the loopholes. Allow them to continue to collude and price fix.

Now, there are a few other people who disagree with them. In fact, we had a bipartisan commission created by the Republican Congress when they controlled the House and the Senate and signed into law by President George Bush. The members were appointed by George Bush, the Republican heads of the House and the Senate. And their conclusions considered Mr. LUNGREN's arguments and they rejected them.

A bipartisan, professional commission created by the Republicans and George Bush said, after saying, yes, there are these arguments being made, but they say, ''Like all potentially beneficial competitor collaboration generally, however, such data sharing would be assessed by antitrust enforcers and the courts under a rule of reason analysis that would fully consider the potential procompetitive effects of such conduct and condemn it only if, on balance, it was anticompetitive.'' They don't want the Justice Department to have that capability. They

don't want any additional levels of review.

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. DEFAZIO. There are many States that are totally incapable of dealing with these issues, particularly with multistate, multinational companies that operate outside their borders, set rates outside their borders, and then import those rates into the State saying, well, that was our experience. We operate in 27 States after all, and you are part of our system.

So if you like the status quo, if you like the double-digit rate increases, if you like the limits on market competition, if you like the concentration that has been going on in the industry, then you would support the status quo, which is essentially what Mr. LUNGREN has offered. And I don't. And I don't think the American people do either. I think we have tremendous consensus around the country that it is time for this abusive industry to play by the same rules as every other. And the small companies will still be able to obtain the data as long as they don't use it in a collusive manner. But it is always just about the small companies, except that the exceptions they want to provide are for the big companies also.

We have expert testimony from the director of the Center for Health Law Studies, St. Louis University, saying that is not the case, it will not disadvantage small companies. We have Mr. David Balto, an antitrust expert, saying it will not disadvantage the small companies. But the Republicans are purporting that it would.

Finally, on the CBO report that it won't lower premiums, that was based on the Lungren language. Without the Lungren language, it will save money, $10 billion for consumers.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

PARLIAMENTARY INQUIRY

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I would like to make an inquiry of the Chair.

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

Mr. DANIEL E. LUNGREN of California. Is it not correct that Members are supposed to address the Chair?

The SPEAKER pro tempore. The gentleman is correct.

Mr. DANIEL E. LUNGREN of California. Thank you.

Since the gentleman refused to yield when I asked him to, despite the fact he was using my name and attributing motivations to me that are questionable under the rules of the House, I might say this. The gentleman is absolutely incorrect in his analysis. The report said that it would harm the small insurance companies if they were not able to get this historical data, number one.

Number two, the gentleman conflates two completely different things: one is historical data and the other is trending data. And they are two different things. My amendment does nothing about allowing insurance companies to work together and compare trending data, which is data going forward, despite the fact that some in the insurance industry wish that is the case. The dirty little secret is that some in the insurance industry don't want to have my amendment, they want it to be silent so that in addition to historical data, they can also have trending data. But the gentleman hasn't looked at the data in that way, hasn't examined or, I presume the gentleman would not have examined the reports to know the difference that was in that and my specific decision not to include trending data in my amendment.

Secondly, I find it interesting that the gentleman suggests that I am trying to do something other than what I say that I am doing. This is an interesting argument made on this floor, that if you disagree with someone you suggest that what they say can't possibly be true. The fact of the matter is I have quoted outside reports to support my position, number one. The fact of the matter is I have used the language from the Jack Brooks legislation, I have used language from the gentleman's party's health care bill, and I have used the language that was adopted on a bipartisan basis in Judiciary Committee unanimously.

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

Mr. SMITH of Texas. Madam Speaker, I yield the gentleman an additional 2 minutes.

Mr. DANIEL E. LUNGREN of California. Perhaps the gentleman is suggesting that all the Members on his side of the aisle who supported this amendment share in his description of the motivation of those of us who have presented it. I thought maybe we were above that. I thought maybe we were engaged in civil discourse here. But rather, if the gentleman or any gentleman wishes to talk about the motivations of others, I will tell you any idea about bipartisanship is lost in this House. The suggestion that all you have to do is shout louder than somebody else and accuse them of motivations other than what they articulated is just absolute nonsense.

The fact of the matter is, properly done, the sharing of historical data is not anticompetitive. The fact of the matter is the underlying bill, with my amendment, would still allow actions taken by the Justice Department and the various States Attorney General if there was bid rigging, if there was price setting, if there was determination before the hand of which markets you would act in and which markets you would not act in.

And so this is a lot of sound and fury signifying nothing, essentially. I have never seen such an attack on an amendment that was adopted on a bipartisan basis in the committee. Now, I realize it is only the committee of jurisdiction that has expertise in this area. I understand that those of us who have done antitrust law ought not to be listened to because those who have said on this floor that they have no expertise in this and they don't understand it, therefore, they don't want to debate it, should have the upper hand in the Rules Committee.

But frankly, I will say once again at some point in time you have to accept yes for an answer. I support the bill. I am trying to help the bill. I am trying to get it back to where it was when Jack Brooks introduced it. And in response to that, rather than saying hurray for bipartisanship, I hear from other people, well, we got to question your motivations. Hardly a high point in this Chamber.

□ 1330

Mr. CONYERS. Madam Speaker, I am inclined to yield to the gentleman from Oregon (Mr. DEFAZIO) 1½ minutes.

Mr. DEFAZIO. Madam Speaker, you know, the law has evolved over time, and the law has evolved significantly since the era of Jack Brooks in terms of decisions regarding antitrust, antitrust immunity.

And as the current Assistant Attorney General of the Antitrust Division says, it says, moreover, the application of antitrust law's potentially to procompetitive collective activity has become far more sophisticated in the 62 years since the industry was exempted from the law. And some forms of joint activity that might have been prohibited under earlier, more restrictive doctrines are now clearly permissible, or at least, very least, analyzed under a rule of reason that takes appropriate account of the circumstances.

So what we're saying is, let's, you know—you're saying, oh, the States can take care of it. Let's say, the State of Montana can oversee an industry, a multistate, multinational, you know, conglomerate, and they can get into their books and they can examine and see that the rates that were imported from outside the State were set fairly. No. We need the help of the Federal Antitrust Division. They should not have their hands tied only in respect to the industry of insurance. Every other industry in America has learned to live with truly free markets with antitrust law. This industry can do the same, and it will benefit consumers. This is a false argument that somehow they need this special privilege, this special exemption, and that somehow this will hurt only little companies, not the big guys.

We've seen tremendous consolidation already under the existing total exemption. And if we continue a partial exemption, we'll only see more.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Madam Speaker, once again I

know I run the risk of trying to introduce some expertise into this debate. For that, I apologize. But the American Bar Association appeared before the subcommittee of Judiciary dealing with the underlying bill, or the bill that was presented before our committee, and in there, they voice support, as they have for decades, for removal of the McCarran-Ferguson antitrust exemption for the health care insurance industry.

However, they said, as point number one of the five major points they made, insurers should be authorized to cooperate in the collection and dissemination of past loss-experience data so long as these activities do not unreasonably restrain competition, but insurers should not be authorized to cooperate in the construction of advisory rates or the projection of loss experience in the future in such a manner as to interfere with competitive pricing. That second part deals with trending data. I do not allow that under my amendment.

And as I presented my effort to have my amendment considered in the Rules Committee, I was told by the representative of the American Bar Association, they did support my position, they supported my amendment, and they supported the arguments that I made before the committee.

Now, maybe they're wrong because they have some expertise in this area, but perhaps this is one time we might look to them. The ABA has not been known as a Republican, conservative, pro-insurance company operation. Last time I looked, they have a major element of the bar association that's involved with antitrust law.

Mr. CONYERS. Madam Speaker, I am pleased to recognize a senior member of the House Judiciary Committee from Los Angeles, Ms. MAXINE WATERS, for 3 minutes.

Ms. WATERS. Madam Speaker, the consumers of this country are finally getting the attention they deserve. For far too long, consumers have been ripped off by collusion and concentration of the health insurance industry. For far too long, public policymakers have turned a blind eye to the special antitrust exemption that health insurers have enjoyed, to the detriment of the American people.

We must pass this legislation, the Health Insurance Industry Fair Competition Act. This bill finally, after 65 years, amends the McCarran-Ferguson Act. Health insurers will be investigated and held accountable for price fixes, dividing up territories among themselves, sabotaging their competitors in order to gain monopoly power, and all anticompetitive practices. The Justice Department will have a mandate to prosecute this criminal activity.

And finally, the health insurance industry will have to compete. No more legally protected collusion. Let the marketplace work. No more protection for health insurance companies from the very people who have been elected to protect the best interests of the people. That's us.

The health insurance industry has gouged us long enough. They have increased premiums, higher copayments, higher deductibles. The health insurance industry, to add insult to injury, have thumbed their noses at both the consumers and legislators and left too many families at risk. In the middle of our debate about health insurance reform, health insurers are raising the premiums. They're denying lifesaving procedures. They're dropping too many of the insured who have been paying premiums for years if they deem the cost of their health care too costly. The CEOs of some of the biggest insurance companies are paying themselves unreasonably high salaries. Most of them are earning $10 million or more per year.

Ladies and gentlemen, it is time to put an end to the practices of the health insurance companies. That time is now. Let us stand up for the consumers. Let us do what the consumers elected us to do—come here and give some protection from these kinds of practices. Sixty-five years is too much, too long. The time is now. Let's get the job done. Let's pass this legislation.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the bipartisan and very credible Congressional Budget Office has said that this bill will have little or no effect on insurance premiums. It further says that if there is any effect, it will be ''quite small.''

So I do appreciate all the comments that Members are making today, and I agree with a lot of them. But we should not think that any of them pertain to this bill, or that this bill is going to have any kind of a major impact on premiums.

However, I would like to discuss one subject that will have a major impact on insurance premiums, and that is health care tort reform.

The American medical liability system, quite frankly, is broken. According to one study, 40 percent of claims are meritless; either no injury or no error occurred. Attorneys' fees and administrative costs amount to 54 percent of the compensation paid to plaintiffs. The study found that completely meritless claims account for nearly a quarter of total administrative costs.

The American civil litigation system is the most expensive in the world, more than twice as expensive as nearly any other country.

Defensive medicine is widely practiced and it is very costly. Skyrocketing medical liability insurance rates have distorted the practice of medicine. Costly but unnecessary tests have become routine as doctors try to protect themselves from lawsuits.

According to a 2008 survey conducted by the Massachusetts Medical Society, 83 percent of Massachusetts physicians reported that they practiced defensive medicine. Another study in Pennsylvania put that figure at an astounding 93 percent.

While estimates vary, the Pacific Research Institute has put the cost of defensive medicine at $124 billion. Others have arrived at even higher figures. A new study by the Pacific Research Institute estimates that defensive medicine costs $191 billion a year, while a separate study by PricewaterhouseCoopers puts the number even higher, $239 billion every year.

Lawsuit abuse drives doctors out of practice. There is a well-documented record of doctors leaving the practice of medicine and hospitals shutting down, particularly practices that have high liability exposure. This problem has been particularly acute in several fields as well as in the rural areas of our country.

The absence of doctors in vital practice areas is, at best, an inconvenience; at worst, it can have deadly consequences. Hundreds or even thousands of patients may die annually due to a lack of doctors.

According to the Massachusetts study, 38 percent of physicians have reduced the number of higher risk procedures they provide, and 28 percent have reduced the number of higher risk patients they serve out of fear of liability. The American College of Obstetricians and Gynecologists have concluded that the ''current medico-legal environment continues to deprive women of all ages, especially pregnant women, of their most educated and experienced women's health care providers.''

Excessive litigation damages the doctor-patient relationship and impairs care. Beyond the dollars and cents, when doctors begin to see their clients as potential litigants, the quality of care patients receive is seriously compromised. In a recent survey, 76 percent of doctors said that their concern about being sued has hurt their ability to provide quality patient care. Nearly half of nurses say they are prohibited or discouraged from providing needed care by rules set up to avoid lawsuits.

The States have proven that legal reform works. While some in Washington talk about the need to study the problem, States have actually acted to address it. Several States have limited noneconomic damages such as those for pain and suffering and dramatically lessened the burden of lawsuits. In States with such limits, premiums are 17 percent lower than they are in States without them.

Madam Speaker, I'll reserve the balance of my time.

Mr. CONYERS. Madam Speaker, no one comes before the Judiciary Committee that I can think of offhand more frequently than BILL PASCRELL of New Jersey. He's worked with us on a number of other issues besides this one, and we welcome his counsel. We yield him 2 minutes.

Mr. PASCRELL. Thank you, Mr. Chairman, and thank you for your

leadership and persistence on this critical matter.

''Mischaracterization,'' I think, is the word of the day. When you look back at the beginning of the discussions of health care, there's been more mischaracterizations of what was in the bill.

But this bill that is before us, H.R. 4626, is only two pages—not 2,000, not 2 million—two pages, very clear and to the point. So what this bill seems to do—if I had my way, I would have brought this bill up when we discussed the beginning, back last summer. But I'm one person. To call them out, to call out the other side, and to call out the other end of the building.

I mean, we've passed 290 pieces of legislation that they haven't even looked at yet. And this is critical. This is to end the anticompetitive, antitrust exemption. Now we have a new administration. Talk is cheap about how we're going to bolster antitrust laws. I haven't seen anything yet so far, but I'm hopeful.

In all the industries in America, there are only two that have antitrust exemptions—baseball, America's pastime; and the health insurance industry, America's nightmare—and I think it's long past time we get rid of their exemption.

Now, I've heard so many terms since the parties last summer, through the fall, through the winter, about uncompetitiveness. We want open markets.

Now we look at the system, and it's price fixing and collusion over and over and over again. Ninety-four percent of the health insurance markets are concentrated.

Here's what that means, Mr. Chairman. In every State of the Union, maybe, through the Chair, there's three or four companies that are selling insurance, that are writing insurance. This is why we are where we are today. No other reason. Because there is a lack of insurance. We have been accused of socialism. That is the biggest joke.

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

Mr. CONYERS. I yield the gentleman another 30 seconds.

Mr. PASCRELL. We're talking about the biggest profits ever, just like Wall Street declared the biggest profit year they've ever had in 2009. That's interesting.

We talk about we want to save the smaller insurance companies. We've saved nobody. In the last 60 years, all that we've done is concentrate power, and the result of it is higher cost to the average citizen that lives in my district and every district here on the floor.

I thank you, Mr. Chairman. Be persistent. Call the other folks out at the other end of the building and we'll see who really cares about the policyholders in this country.

□ 1345

Mr. SMITH of Texas. Madam Speaker, may I ask how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Texas has 27 minutes, and the gentleman from Michigan has 33½ minutes.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, on October 9, the Congressional Budget Office pronounced that a tort reform or civil justice reform package would reduce the Federal budget deficit by an estimated $54 billion over 10 years.

CBO recognizes that civil justice reforms also have an impact on the practice of defensive medicine. Defensive medicine is when doctors order more tests or procedures than are necessary just to protect themselves from frivolous lawsuits. Studies show that defensive medicine does not advance patients' care or enhance a physician's capabilities, that billions of dollars in savings from tort reform could be used to provide health insurance for the uninsured without raising taxes on those who already have insurance policies.

As the administration rushes to enact a massive government takeover of health care, Congress must remember that there is the option of saving between $54 billion and more than $200 billion by embracing tort reform, but it will take the leadership to stand up to personal injury lawyers instead of taxing Americans and cutting Medicare benefits.

According to CBO, under the HEALTH Act, which includes tort reform, premiums for medical malpractice insurance ultimately would be an average of 25 percent to 30 percent below what they would be under current law.

Also, the Government Accountability Office, GAO, found that rising litigation awards are responsible for skyrocketing medical professional liability premiums. The report stated that GAO found that losses on medical malpractice claims—which make up the largest part of insurers' costs—appear to be the primary driver of rate increases in the long run.

The GAO also concluded that insurer profits are not increasing, indicating that insurers are not charging and profiting from excessively high premium rates, and that in most States insurance regulators have the authority to deny premium rate increases they deem excessive.

The reason the administration continues to refuse to add serious medical lawsuit reform to their health care legislation remains purely political, as was recently revealed by former Democratic National Committee Chair Howard Dean. At a recent health care town hall meeting, Mr. Dean responded to an angry constituent who wondered why a supposedly comprehensive reform of the health care system doesn't include tort reform to lower costs of malpractice insurance and reduce defensive medicine.

Mr. Dean responded, being remarkably candid, as follows: ''This is the answer from a doctor and a politician. Here is why tort reform is not in the bill. When you go to pass a really enormous bill like that, the more stuff you put in, the more enemies you make, right? And the reason why tort reform is not in the bill is because the people who wrote it did not want to take on the trial lawyers in addition to everybody else they were taking on, and that is the plain and simple truth.''

Medical malpractice premiums have risen more than 80 percent each year in some parts of the country and can cost almost half a million dollars a year in some specialties.

Regarding the offer of HHS demonstration projects—and this is what the administration has proposed—that offer rings hollow given that the Cabinet Secretary tasked with implementing this proposal for demonstration projects is Kathleen Sebelius. Before she was Governor of Kansas and the Insurance Commissioner of Kansas, she spent 8 years as the head of the Kansas Trial Lawyers Association, now the Kansas Association for Justice. And she is also the State executive who, according to The New York Times, ''failed to make significant improvement in health coverage or costs during her two terms as Governor.''

The top contributor to President Obama's Presidential campaign was the legal industry, whose donations came to more than $43 million. More than 80 percent of the money given to Congress by lawyers, mostly from the plaintiff's bar, went to the Democrats—almost $22 million.

More recently, when President Obama spoke to the American Medical Association in June of this year, he told the audience, ''I'm not advocating caps on malpractice awards.''

But the American people are demanding legal reform. A recent survey found that 83 percent of Americans believe that reforming the legal system needs to be part of any health care reform plan. As the Associated Press recently reported, most Americans want Congress to deal with malpractice lawsuits driving up the costs of medical care. Yet, Democrats are reluctant to press forward on an issue that would upset a valuable political constituency, trial lawyers, even if President Barack Obama says he's open to changes. The AP poll found that 54 percent of Americans favor making it harder to sue doctors and hospitals for mistakes made while taking care of patients.

Support for limits on malpractice lawsuits cuts across political lines, with 58 percent of Independents and 61 percent of Republicans in favor. Democrats are more divided. Still, 47 percent said they favor making it harder to sue. The survey was conducted by Stanford University with the nonprofit Robert Wood Johnson Foundation. In the poll, 59 percent said they thought

at least half the tests doctors order are unnecessary and ordered only because of fear of lawsuits.

That is the end of the AP story.

Madam Speaker, the USA Today editorial board also came out in support of tort reform, and USA Today wrote, A study last month by the Massachusetts Medical Society found that 83 percent of its doctors practice defensive medicine at a cost of at least $1.4 billion a year. Nationally, the cost is $60 billion-plus every year, according to the Health and Human Services Department—and that's the HHS of this administration. And a 2005 study in The Journal of the American Medical Association found that 93 percent of Pennsylvania doctors practice defensive medicine.

The liability system is too often a lottery; excessive compensation is awarded to some patients and little or none to others. As much as 60 percent of awards are spent on attorneys, expert witnesses, and administrative expenses. The current system is arbitrary, inefficient, and results in years of delay.

Madam Speaker, discussing the need for tort reform, the president of the American Medical Association said, If the health care bill doesn't have medical liability reform in it, then we don't see how it is going to be successful in controlling costs.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased now to recognize DAVID SCOTT, the gentleman from Georgia, who has been waiting patiently to get time here on this. I yield him 2 minutes at the point.

Mr. SCOTT of Georgia. Thank you, Mr. Chairman. Let me commend you for the excellent leadership that you have provided on this issue.

In this debate today, the one point that has been missing is this: What about the American people? That's what this debate should be about.

As we speak, 14,000 American citizens and families are losing their health care insurance every single day. And the number one reason they're losing it is because of the high costs of health care insurance. And one of the major reasons why we have the high cost of health care insurance is because the insurance companies do not have competition. And the biggest reason they don't have competition is because they have this shield. They are exempt from competition. That's why we passed the antitrust laws in the very beginning. Go back to John D. Rockefeller and the American Standard Oil companies. That's what it was all about. It was so we could have that competition.

Now, there has been much argument on the other side about the sharing of this information. Madam Speaker, I call to your point and the point of this Congress what the Supreme Court said about the sharing of the information in the 1925 case of Maple Flooring Manufacturers' Association v. The United States. It said the pooling of statistics does not violate the antitrust laws. As a matter of fact, it's there, and it helps both small and large businesses. He said it's legitimate. But they said the collusive joint coordination of future pricing, of output, of marketing decisions to take meaningful choice away from customers, to rob the American people of the benefits they would receive from competition, must not be allowed.

That's what the antitrust provision prohibits. That's why it's important to us to remove it today for the American people.

Mr. SMITH of Texas. Madam Speaker, I will reserve my time.

Mr. CONYERS. Madam Speaker, I am pleased now to recognize the gentleman from Rhode Island, JIM LANGEVIN, a former Secretary of State, for 2 minutes.

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

Mr. LANGEVIN. I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of H.R. 4626, the Health Insurance Industry Fair Competition Act, which will finally require the health insurance industry to comply with the same Federal antitrust laws as virtually every other industry in the United States.

The recent economic recession dealt a crushing blow to Rhode Islanders. Many are out of work and simply don't have insurance coverage. The ones who do are struggling to afford the perpetual rate increases year after year. Although Rhode Island is a State with strong health insurance consumer protections, this fact provides little comfort to the thousands of people who will lose their coverage because it's simply too expensive.

Madam Speaker, we must do everything in our power to hold down the rising costs of insurance premiums, which includes ensuring healthy market competition. After all, competition is the driving force of economic prosperity. And even in the time of FDR and numerous Supreme Court decisions, it established the fact that there is a legitimate public policy interest in ensuring competition.

But for over 65 years, the health insurance industry has played by a different set of rules, allowing them to engage in anticompetitive practices which drive up the costs of premiums.

Well, this bill before us today will outlaw existing health insurance practices like price-fixing, bid-rigging, and market allocations that drive up costs for all Americans. It will protect honest competition from collusion and other destructive practices within the health insurance industry so we can achieve greater affordability, improve quality, increase innovation, and more consumer choice, just as the antitrust laws have done for the rest of the economy for over a century.

Madam Speaker, Americans can no longer afford to give insurance companies special treatment. I urge my colleagues to vote in favor of the Health Insurance Industry Fair Competition Act so that we can finally break the vise grip that the insurance companies have on the lives of the American people and their health care.

Mr. SMITH of Texas. Madam Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Texas has 20 minutes. The gentleman from Michigan has 29½ minutes.

Mr. SMITH of Texas. I will reserve my time.

Mr. CONYERS. Madam Speaker, I am very pleased to recognize the most experienced member of the civil rights struggle in the 20th century, the gentleman from Georgia, JOHN LEWIS, a strong advocate of universal health care, and I yield him 2 minutes.

□ 1400

Mr. LEWIS of Georgia. Thank you, Mr. Chairman, for yielding.

Madam Speaker, I still believe that health care is a right and not a privilege, and this Congress must not rest until we make health care a reality for all Americans. I know we will get the job done for the American people, but until that day comes, we must do what we can to make health insurance work for people who depend on it.

This bill, this piece of legislation is long overdue. The health insurance industry has been treated differently for over 60 years, and they have abused that privilege. In too many States there is no competition and no choice for consumers.

Insurance companies are raising rates, denying care, and dropping people when they get sick, all the while making record profits. We need to put people first and not profits.

For too long, insurance companies have had the upper hand. It is not fair, it is not just, and it is not right. Today, at this hour, we said, ''No more.'' It is time to repeal the antitrust exemption and put the American people first.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, President Obama's own doctor of over two decades also supports medical tort reform. David Scheiner was Mr. Obama's doctor from 1987 until he entered the White House. He vouched for the then-candidate's excellent health in a letter last year. This was recently reported in Forbes Magazine. Dr. Scheiner worries about whether the health care legislation currently making its way through Congress will actually do any good, particularly for doctors like himself who practice general medicine. ''I am not sure Obama really understands what we face in primary care,'' Dr. Scheiner says.

One of the Nation's top surgeons, with credibility and acclaim the world over for the pioneering surgeries he has

and his personal story of overcoming hardship, recently severely criticized the health care legislation before Congress. Benjamin Carson, Director of Pediatric Neurosurgery at the Johns Hopkins Children's Center in Baltimore, Maryland, and recipient of numerous awards, including the Presidential Medal of Freedom, criticized, in a recent interview, the current bill's lack of malpractice liability reform.

He pointed to excessive litigation, pointing out how much malpractice insurance and other forms of defensive medicine to protect against lawsuits add to medical costs. In an interview with a local television station, Carson insisted that tort reform must go hand in hand as part of any true health care reform.

''We have to bring a rational approach to medical litigation. We're the only nation in the world that really has this problem. Why is it that everybody else has been able to solve this problem but us? Simple. Special interest groups like the trial lawyers association. They don't want a solution.''

As Stanley Goldfarb, MD, and Associate Dean of Clinical Education at the Pennsylvania School of Medicine has written: ''The President points to for-profit insurance companies, but for-profit insurance companies only make up 25 percent of the system, and they are not that profitable, ranking 85th among all U.S. industries. 'Reform' will redistribute the money, not reduce the overall costs. There is much that can be done to make our system more efficient. Tort reform is a great place to start.''

Even prominent Democrat strategist Bob Beckel has conceded medical tort reform is essential, recently writing that CBO has reviewed the few credible reports that do exist and concluded: ''A number of those studies have found that State-level tort reforms have decreased the number of lawsuits filed, lowered the value of claims and damage awards . . . thereby reducing general insurance premiums. Indeed, premiums fell by 40 percent for some commercial policies.''

From a CBO report in June 2004, one irrefutable fact remains: Between 1997 and 2007, medical tort costs, including insurance premiums, have risen from $15 billion to $30 billion a year. That fact alone should ensure that yearly savings in the billions for medical tort reform would pass the credibility test.''

As Kimberley Strassel has written in The Wall Street Journal: Tort reform is a policy no-brainer. Experts on left and right agree that defensive medicine—ordering tests and procedures solely to protect against Joe Lawyer—adds enormously to health costs. The estimated dollar benefits of reform range from a conservative $65 billion a year to perhaps $200 billion a year. In context, Mr. Obama's plan would cost about $100 billion annually. That the President won't embrace even modest change that would do so much, so quickly, to lower costs has left Americans suspicious of his real ambitions.

It's also a political no-brainer. Americans are on board. Polls routinely show that between 70 percent and 80 percent of Americans believe the country suffers from excess litigation. The entire health community is on board. Republicans and swing-State Democrats are on board. State and local governments, which have struggled to clean up their own civil justice systems, are also on board.

Mr. Speaker, Republican-sponsored legislation would make Federal law the same legal reforms California implemented over 30 years ago. That legislation, called the HEALTH Act, remains the gold standard for health care legal reform, and it continues to be supported by every major medical association.

The HEALTH Act does not limit in any way an award of ''economic damages'' from anyone responsible for harm. Economic damages include anything whose value can be quantified, including lost wages or home services, including lost services provided by stay-at-home mothers, medical costs, the cost of pain-reducing drugs, therapy and lifetime rehabilitation care, and anything else to which a receipt can be attached.

Only economic damages, which the Federal legislation does not limit, can be used to pay for drugs and services that actually reduce pain. So, nothing in the HEALTH Act prevents juries from awarding very large amounts to victims of medical malpractice, including stay-at-home mothers and children. California's legal reforms, just like the HEALTH Act, cap noneconomic damages at $250,000 but do not cap quantifiable economic damages.

The administration's health care bill not only fails to contain any of the tort reforms that CBO concluded would save at least $54 billion in health care costs, but it also contains a provision that actually deters States from enacting such reforms in the future by explicitly prohibiting tort reform ''demonstration project'' funds to States that enact limits on damages or attorneys' fees.

One section of an earlier bill states that ''the Secretary of HHS shall make an incentive payment . . . to each State that has an alternative medical liability law in compliance with this section,'' but then goes on to say a State can take advantage of such funds only if ''the law does not limit attorneys' fees or impose caps on damages,'' which are precisely the tort reforms the CBO concluded yield real health care cost savings.

Mr. Speaker, so not only does the administration's bill fail to contain any of the tort reforms we know bring health care costs down from decades of experience, but it even prohibits States that want to try such reforms from taking part in the government-funded tort reform demonstration projects. This is not only a blow to State reform efforts, it is a federally funded bribe discouraging States from enacting real reform, and, of course, it is a giant bailout for trial lawyers.

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

The SPEAKER pro tempore (Mr. SERRANO). The Chair will note that the gentleman from Texas has 13 minutes remaining and the gentleman from Michigan has 28 minutes remaining.

Mr. CONYERS. Mr. Speaker, I am pleased now to recognize the distinguished Member of the House who has had insurance experience as a State commissioner, EARL POMEROY of North Dakota, for 2 minutes.

Mr. POMEROY. I thank the chairman for yielding for the purpose of a colloquy.

I would like to thank Chairman CONYERS, Congressman TOM PERRIELLO of Virginia, Congresswoman BETSY MARKEY of Colorado, and others for their leadership in bringing to the floor this important bill aimed at creating greater competition in the health insurance marketplace in order to promote greater affordability, improve quality, and greater consumer choice.

In particular, I appreciate that the bill is narrowly tailored to repeal the McCarran-Ferguson antitrust exemption only for the business of health insurance. But despite the clear wording of the bill, I have heard concerns from some that courts might somehow interpret the bill broadly to include nonhealth lines of insurance such as life insurance, long-term care insurance, disability income insurance, even property/casualty insurance.

As one of only two former State insurance commissioners in the U.S. House of Representatives, I know health insurance is different than these other insurance lines. I would appreciate, Mr. Chairman, your confirmation of my understanding that the bill we are now debating does not apply to any insurance except for health insurance, and your expectation that courts will interpret it properly to not include nonhealth lines of insurance.

Is the gentleman's understanding of my expectation correct?

Mr. CONYERS. If the gentleman will yield, I want to commend him for clearing up something that perhaps in more reasonable circumstances should not need to be cleared up.

I still have confidence in the courts that they can read the simple understanding that when we say ''health insurance,'' we don't mean life insurance. I mean, this is getting pretty fundamental here. But, of course, you are correct, Mr. POMEROY. It's health insurance only; no disability income insurance, no long-term care insurance, no property insurance.

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

Mr. CONYERS. I yield the gentleman an additional 1 minute.

Mr. POMEROY. I yield to the chairman.

Mr. CONYERS. No casualty insurance, no other kind of insurance but the one plainly listed in a two-page

bill. So my confidence in the courts is unrestricted that they can get this right.

The lack of a statutory definition is intended solely to give the courts the ability to ensure that all forms of health insurance are appropriately included so that unreasonable and artificial distinctions do not arise between two essentially equivalent kinds of insurance products and how they are treated under antitrust laws.

I am glad that the gentleman raised this issue in the hearings.

Mr. POMEROY. I thank the chairman.

Reclaiming the time, I believe the chairman's words are very clear and will make a very clear part of the legislative record on this bill.

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

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia who has done so much in working with the committee on this bill, Mr. PERRIELLO, who has been great.

Mr. PERRIELLO. Thank you, Mr. Chairman, thank you to Chairwoman SLAUGHTER, as well, for their great leadership on this bill. This is a great day.

It's a great day for consumers, it's a great day for competition, and it's a great day for common sense. I am new to Washington, and I know this is a town full of grays, but sometimes things are as simple as black and white. This is a chance for people to decide whether they stand for patients or whether they stand for the profiteering of health insurance monopolies, whether they stand for competition or for collusion.

This is a victory for common sense in the midst of the health care reform debate. Only inside the beltway would those people argue that the best way to protect competition is to protect monopolies. Only inside the beltway would people try to argue that the best way to help the little guy is to make sure that we protect monopolies.

The status quo is not working for the small insurers. There are those with very good intentions who want to talk about safe harbors, but I have not had constituents come up to me and say, Congress, please have more carve-outs. Congress, please have more exemptions and exceptions, please make the bills even longer. Here we have a two-page bill, 24 lines long—one that is supported by conservatives and liberals alike in my district—that makes a simple rule that health insurance companies should have to play by the same rules as everyone else.

If two plumbers in my district get together and start to collude and set prices, they will go to jail. Why should the biggest health insurance companies in the country not have to play by the same rules? People say to us, How about a shorter bill? Two pages. People say to us, What about bipartisanship? Well, in 2007, all of the attorneys general across the country, without a single dissenting vote across party lines, said we want this bill. We want more Federal power for us to be able to go after these monopolies that are sticking it to consumers.

□ 1415

This will not solve every problem in the health care debate, but if we can't come together and agree on something this simple—pro-competition, pro-consumer, two pages long—how will we ever come together on anything?

It is estimated to save consumers $10 billion. In States that have removed such protections before, premiums have risen at one-fifth the rate of other folks. This means real money in the pockets of working and middle class Americans. Voters say, who is standing up for us—working and middle class Americans who play by the rules—instead of for the interest groups? Here is a chance for a victory for common sense and for consumers.

If you are a health insurance company and you are not engaged in monopolistic practices, you're not colluding, you have nothing to worry about. But if you are, be afraid, be very afraid, because you are no longer going to enjoy the monopoly protections you have enjoyed for 65 years.

We are going to stand up for patients today with no loopholes and no monopolies to ensure a basic sense of accountability, competition, and Main Street values, and maybe take one step forward towards bipartisanship and common sense in this health care reform debate.

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

Mr. CONYERS. Mr. Speaker, I would like to yield to PAUL KANJORSKI of Pennsylvania for a unanimous consent request.

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

Mr. KANJORSKI. Mr. Speaker, I rise in support of H.R. 4626.

Mr. Speaker, as the Chairman of the House Financial Services Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises and on behalf of the Financial Services Committee and its Chairman (the gentleman from Massachusetts, Mr. FRANK), I would like to thank the Chairman of the Judiciary Committee (the gentleman from Michigan, Mr. CONYERS), the gentleman from Virginia (Mr. PERRIELLO), the gentlewoman from Colorado (Ms. MARKEY), and others for their leadership in bringing this important legislation to the floor. I also appreciate their cooperation with the Financial Services Committee—which has primary jurisdiction over most insurance regulatory issues, except for health insurance matters—in developing this bill. In particular, I appreciate that the legislation before us is narrowly tailored to repeal the McCarran-Ferguson antitrust exemption only for the business of health insurance.

Today, Congress is engaged in robust debate on reforming the health insurance marketplace for the nation. There are also many additional types of insurance that impact citizens' lives on a daily basis. When looking broader at insurance regulatory reform and allowing insurers to cross state lines, Congress should look at these matters comprehensively across all lines of insurance. I look forward to working together with House leadership and multiple committees on these important matters in the future.

Mr. CONYERS. Mr. Speaker, I recognize the distinguished Member who allowed us to testify in his subcommittee on universal single-payer legislation, ROB ANDREWS of New Jersey, and I yield him 2 minutes.

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

Mr. ANDREWS. Mr. Chairman, thank you for your leadership on this bill. I would like to thank and congratulate Mr. PERRIELLO, Ms. MARKEY and Ms. SLAUGHTER for their leadership.

Members of the House have a choice to make this afternoon: If you believe that the Members of the two parties can work together to solve a problem in our health care system, then the correct vote is ''yes''; if you believe that there can be simple and clear solutions that do not involve thousands of pages of legislative language, then the correct vote is ''yes''; if you believe that health insurance companies should be held to the same standard that car dealers, supermarkets, television networks, candy stores, all kinds of people are held to in this country, then the correct vote is ''yes.''

The choice here is competition versus crony capitalism. Competition means the best competitors get the market share and get the business. It means that health insurance companies cannot meet behind closed doors and fix the prices of their product. We've seen enough of crony capitalism on Wall Street, we have seen enough of crony capitalism in our banking industry, and I think we've seen more than enough of crony capitalism in health insurance.

This is the chance for the Members to come together and say we want the health insurance industry to compete for the business of the American people the same way everybody else does. It is pro-consumer, it is pro-competition. It should be profound evidence that the two parties can work together and start to solve the health care problem.

I congratulate the authors. I would urge my friends on both sides to vote ''yes'' in favor of this bill.

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

Mr. CONYERS. Mr. Speaker, I am now pleased to recognize BETSY MARKEY of Colorado. She has done yeoman's work on this measure in her first term, and I will yield her 3 minutes.

Ms. MARKEY of Colorado. Thank you, Mr. Chairman, for your work on this very important bill.

A few years ago, before I ever even decided to run for Congress, I owned a small coffee shop in Old Town, Fort Collins. As a business owner, I knew that my success or failure depended on my business plan and my ability to

compete. None of the other shopowners needed the government to offer them some sort of special protection in order to survive. Capitalism is the basis of our democracy, and a competitive marketplace is at the heart of capitalism.

Since 1945, just two industries have enjoyed special protection from antitrust laws by the United States Government: Major League Baseball and the health insurance industry. Since Americans don't rely on baseball tickets to vaccinate their children or get cancer screenings, the gentleman from Virginia and I felt it important that we tackle the special protections offered to the health insurance industry today.

I consider myself a pragmatic person. I think companies should be left alone to succeed or fail based on the fitness of their business plan and on the quality of the products they offer to consumers, not because they got a special deal from Washington.

I believe that consumer protection laws keep our markets competitive and are crucial to our democracy and economy, and that the exceptions offered to the insurance industry for over half a century leave the doors wide open to price-fixing that can't be regulated.

If any Member of this body were to come and suggest that the United States Government give one industry immunity from protection and from price-fixing, the outrage from the American public would be swift and heartfelt. It is not fair that small business owners across America—many of them struggling to survive in today's economy—have to play by a separate set of rules.

The underlying premise of this bill is not a partisan issue. Prominent Members of both parties have advocated removal of McCarran-Ferguson for 2 years. In 2007, Senator Trent Lott cosponsored legislation with PATRICK LEAHY that would have repealed an even broader swath of antitrust exemptions benefiting the entire insurance industry. At the same time, Senator Lott made the astute point that if the industry were not engaging in price-fixing, it wouldn't have to worry about losing its antitrust exemption.

When Lott testified before the Judiciary Committee in 2007, he said, ''I cannot for the life of me understand why we have allowed this exemption to stay in place so long.'' Perhaps even more telling, the National Association of Attorneys General strongly supports the repeal of McCarran-Ferguson. One assistant attorney general noted, ''The most egregiously anticompetitive claims, such as naked agreements, fixing price, or reducing coverage, are virtually always found immune'' from prosecution under the law.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. CONYERS. I yield the gentlewoman an additional 30 seconds.

Ms. MARKEY of Colorado. For years, one industry has enjoyed an unfair advantage over every other business in the United States. I don't think this has anything to do with being a Republican or a Democrat, I think it has to do with being fair.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, we have heard several speakers in the last few minutes say that there are only two industries exempted from the antitrust laws, insurance and baseball. This, of course, is not true. There are more than 20 such exemptions. If the majority is intent on eliminating simple exemptions, perhaps they would be willing to eliminate the labor union's antitrust exemption as well.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, MARY JO KILROY of Ohio has worked hard on this legislation, and I would like to recognize her for 2 minutes.

Ms. KILROY. Thank you, Chairman CONYERS, for allowing me this opportunity. Also, I want to give thanks to the work of my freshman colleagues, TOM PERRIELLO and BETSY MARKEY, for their work on this important piece of legislation that I am very proud to be a cosponsor of.

I have been listening to this debate this afternoon, and it is very surprising—and actually highly ironic—to hear the opposition from the Republican side of the aisle to a bill that would simply make the health insurance industry operate fairly in a competitive marketplace. After all, it was a great Republican President, Teddy Roosevelt, who was the great trust buster, the one who brought antitrust principles into American jurisprudence and legislation. And as we have heard this afternoon from others, versions of this bill have had bipartisan support over the course of the years when there have been attempts to introduce antitrust legislation addressing this issue with respect to the health insurance industry. After all, competition is the engine that drives our economy, spurs innovation, and ensures that the American consumer would receive a fair deal. But for far too long the insurance industry has been able to avoid accountability by dividing up the territories among themselves like the robber barons once did on the backs of ordinary Americans.

I also serve with several of my colleagues on the Competitiveness Task Force, and I know that for our economy to regain its footing, we need central Ohio and American business to be competitive, something this bill will help to ensure.

This bill is needed because the health insurance industry is sick, and we need to fix it. We know that we have an unhealthy insurance system because we see that the signs and symptoms are there. Ninety-six percent of all health insurance markets are highly concentrated, meaning consumers have little or no choice between insurers, and it is too easy for insurance industries to conspire on practices.

I urge my colleagues to support passage of the Health Insurance Industry Fair Competition Act.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California, the former Attorney General of that State, Mr. LUNGREN.

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

Mr. Speaker, as I've said repeatedly—and perhaps the gentlelady from Ohio who just spoke didn't hear—I support the bill. I think she also heard—well, maybe she wasn't here to hear the ranking Republican say he is not going to oppose the bill, so let's be clear about what we're talking about here.

While I do support this bill and while I do think it could be perfected and while I hope that the motion to recommit will be adopted to actually make it a better bill, I would say, however, this is not the first bill we should have on the floor dealing with the overall issue of health care. The first one should be the one the American people have asked us to look at, and that is reform of the medical malpractice system.

The interesting thing is, as the gentleman from Texas pointed out, that in the bill that we have in the Senate and the House, there is reference, as the President of the United States said, to medical malpractice litigation alternatives. That bill does give incentives, financial incentives, Federal moneys from the Federal Government to the States if they will engage in alternatives to the litigation system in areas of medical malpractice. But as the gentleman from Texas pointed out, there is a kicker in there, and it says that if your State dares to in any way put any limitations on attorneys fees or on any part of the recovery in medical malpractice cases, that State will be ineligible for the funds; in other words, you will be punished relative to other States.

Now, the gentleman from Texas referred to the landmark legislation we had in California called MICRA, which was adopted in the mid-1970s at a time when we had a crisis in medical malpractice premiums. We actually had an exodus of doctors, particularly in the specialties. Neurosurgeons, I remember anesthesiologists, other high specialties with high-risk practices were actually leaving the State of California because of the significant increase in premiums on a yearly basis as a result of the true historical data of what was happening in the courts.

□ 1430

I recall at this time, because I actually did some representation in the courts of doctors and hospitals and of even a couple of plaintiff cases—but primarily defense cases—that it was becoming a crisis.

So, in California, it came together on a bipartisan basis, and we passed legislation better known as MICRA. In there, we have a limitation on a sliding scale on the amount of money that can go to the attorneys, and it's a slightly higher percentage at the lower recoveries. As the recovery gets larger and

larger, the percentage of return to the attorneys, percentage-wise for that segment of the recovery, is less.

While putting no limitation whatsoever on recovery for loss of income and for all medical costs, there was a cap put on noneconomic damages. As one who has been in the courtroom and has seen what happens, that is logical because the one area in which you saw extraordinary amounts of money that really were not truly indicative of approvable damage—I'm not saying there isn't pain and suffering, but trying to quantify it is extremely difficult, and it proved to be impossible, and it proved to be the area in which you had the outrageous jury verdicts that had the impact of distorting the system. So California adopted both of those.

In other words, the bill that has been presented by the President and Democrats in the House and the Senate not only does not really deal with reform of the medical malpractice system, but it takes us back more than 30 years to the position in which we were then when we had not an academic exercise about the possibility of a crisis but a true crisis. We literally had a crisis in medical care in the State of California until we enacted this change.

So that is why it is at least as strange to ask and to see why we don't have some litigation reform moving through our Judiciary Committee and through the other committees that may have jurisdiction in the House of Representatives and placed on the floor. That's why it was very important for the gentleman from Texas to make reference to the California system, because that is one that has worked, and it specifically is the one that is singled out in the legislation that the President supports to be punished. Now, if that is not irony, I don't know what is.

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

Mr. SMITH of Texas. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. DANIEL E. LUNGREN of California. So I would just hope that people would understand, as important as this bill is, that we should be at least listening to the American people, who have said number one on their issue list in dealing with this problem, as they see it, as they understand it, as they are affected by it, is the reform of the medical malpractice litigation system as it currently exists.

So it is somewhat disappointing that we don't have that even on the horizon. I think the gentleman, the ranking member on the committee, would agree we haven't seen anything on this subject that has been scheduled for our committee.

While I support this legislation—and let me repeat that—I support this legislation. I think it is good legislation. I think it may have a slightly bigger impact than, maybe, my ranking member thinks it will have, although not as large an impact as suggested by the other side. I would hope that the other side would look with open eyes and would listen with open ears to our motion to recommit because I think it will make a better bill, will clear up some definitions that are not defined in this bill and will help us move in the right direction.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the leader of the Progressive Caucus in the House for so many years, the gentlewoman from California, LYNN WOOLSEY.

Ms. WOOLSEY. Thank you, Congressman CONYERS, for your great leadership.

Mr. Speaker, can you imagine the health care industry being exempt from the McCarran-Ferguson antitrust rules right now, particularly after Anthem raised their rates 39 percent a couple of weeks ago when their parent company had just announced that they had had—I believe it was 2.9—around a $2 billion profit last quarter, and when one of their subsidiaries has to raise their rates 39 to 40 percent?

H.R. 4626 will lift the antitrust exemptions that health insurance companies have enjoyed for far too long. It will protect us from the Anthems of the world. These exemptions have given the companies a near monopoly control of health insurance markets—preventing meaningful competition, competition that would bring down the cost of premiums and competition that would make health care affordable for all Americans, which we know is not right now. Through the lifting of the insurance companies' antitrust exemptions and through the creation of an exchange, we will increase competition. The insurance industry will then have to control their costs, control their premiums and control their copays because they will have competition.

Another important way to increase competition is to give the American people a choice, a choice of a public health insurance option—an option that will compete with private health insurance companies and will bring down the costs of premiums and the costs of coverage.

The CBO, the Congressional Budget Office, has stated that a public option would save at least $25 billion if we included that right now in our health care bill. That $25 billion could be used for subsidies to ensure the affordability of all health insurance plans.

Mr. SMITH of Texas. Mr. Speaker, I have no further requests for time on this side, and I am prepared to close at the appropriate time.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Chairman CONYERS, thank you so very much.

Mr. Speaker, I keep thinking about that movie ''Casablanca.'' The guy says, I am shocked to learn that the Republican Party that has championed itself with the free market economy would oppose a measure that would, in fact, allow for competition.

Now, a lot has been said on the floor today, but the fact of the matter is—and I spent 8 years of my life as the insurance commissioner in California, and I am here to tell you that the insurance companies, using the exemption from the antitrust laws, are able to conspire to fix prices on premiums and on payments to doctors. That has been proved in cases, national cases, brought by States and by private attorneys as well as by the attorney general of New York.

Similarly, they are able to vertically integrate. In a case that took place in New York, where UnitedHealthcare owns a company called Ingenix, which actually sets the reimbursement rates, they are able to have a serious conflict of interest. The lower the normal reimbursement rates, the more the copay to consumers.

So there are varieties of practices that take place in the insurance industry, practices which are anticompetitive and anticonsumer. What we are doing here is very simple and very, very straightforward. It is this:

Under the antitrust laws that have been in place since Teddy Roosevelt is a long history of people pushing back against the powerful interest groups—in this case, the powerful interest groups of the insurance industry. It is time for us to simply say, You must compete as every other part of the American economy must. Vertical integration to the detriment of consumers: not allowed. Price-fixing on selling the products: not allowed. Not able to use that market power to set prices on the payment to doctors and hospitals. All of those things have taken place. The proof is there.

With regard to the States' ability to do this, yes, many States do have antitrust laws, and we are thankful for that, but the Federal Government, the Federal Attorney General, is precluded from involving in the matter of competition in this industry.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to a former member of the House Judiciary Committee, the gentlewoman from Ohio, BETTY SUTTON.

Ms. SUTTON. Thank you, Mr. Chairman, for the time.

Mr. Speaker, I rise in strong support of this bill, to repeal the antitrust exemption for health insurance companies.

For far too long, the health insurance industry has been exempted from playing by the rules that most other American businesses must live by. Since 1945, they have been operating beyond the reach of these important consumer protection laws. The result has been excessive consolidation in the health insurance industry and the insurance companies taking advantage of honest, ordinary Americans. This legislation will finally put an end to insurance company collusion, and it will bring much needed competition to the industry.

According to the Consumer Federation of America, repealing these antitrust exemptions will save consumers more than $40 billion in insurance premiums. I, for one, want consumers to save that money. The families that I proudly represent have the right to be confident that the cost of their insurance and the actions of their health insurance providers are reflective of competitive market conditions, not of collusion.

This bill is a historic step to ensure competition in the insurance industry and to provide access to quality, affordable health care for all Americans. Now, who would be against that?

The choice is clear and easy. It is a two-page bill, easily understood, hard to mischaracterize. A vote for the bill is a vote for our constituents. A vote against the bill is doing exactly what the insurance industry wants. Let's think about that. For our constituents versus for the health insurance industry. It's an easy choice. Because the American people need all of us to be on their side, I urge people on both sides of the aisle to vote for this bill.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Canton, Ohio, JOHN BOCCIERI.

Mr. BOCCIERI. Thank you, Mr. Chairman.

Mr. Speaker, the American people have asked for common sense in their government, but all too often it is just not that common.

You see, our friends on the other side have asked for simplicity, for substance, and for competition in the health care debate, but only in Washington will we argue that competition doesn't reduce costs. Only in Washington will we argue that we haven't had time to read a two-page bill. Only in Washington will we argue process over results for consumers.

What does it mean for consumers in Ohio?

Well, let me tell you, small businesses in Ohio, their premiums have risen about 129 percent. There are 7.4 million people in Ohio who get their insurance on the job, averaging about $13,000. Small businesses make up 72 percent of all business in Ohio, while only 47 percent of them can afford to offer health insurance for their people.

We have seen 400 mergers in the health care industry over the last 14 years, so 95 percent. According to the Department of Justice, health insurance markets are highly concentrated. It means there is collusion. It is simple economics. We increase competition. We lower prices.

On this matter, we have to know who we will stand with at this hour. Are we going to stand for families or are we going to stand for monopolies? Are we going to stand for competition or are we going to stand for price-fixing and collusion? Are we going to be Congress men and women who stand for consumers and for open markets or are we going to be Congress men and women who stand for collusion and corruption in the industry? There are not all bad actors out there, but on this day, at this hour, we need to stand with consumers.

Mr. CONYERS. Mr. Speaker, this has been an important debate, and I would like to take this opportunity to commend the leader of the Republicans in the House, and especially one Member on the Judiciary Committee, LAMAR SMITH.

We have had a very civil debate. I think, in the course of the incredible amount of time that we have been allotted for this bill, that we have reached closure on some issues. There are now more things that we agree to on both sides of the aisle than there are things that we may have differences about.

□ 1445

I attribute it to the goodwill and the cooperation of my Republican colleagues on the House Judiciary Committee. I also solicit their vote, but I will respect any way that they may choose to dispose of this matter and our friendship will not be diminished or impaired in any way whatsoever.

Now, LAMAR SMITH mentioned the fact that there were other exemptions, and to be perfectly candid, I did not know that there were more than two exemptions, and it turned out that there are. As a matter of fact, there are 27. But many of them—and I haven't researched this yet. Many of them are partial exemptions. Many of them are very small exemptions that are very limited in terms of the economic scope of our reach in the United States. But they, nevertheless, exist.

Mr. SMITH may remember that the baseball antitrust exemption was given very close scrutiny only 2 or 3 years ago, and it reminded them of the fact that their conduct hadn't always been such that deserved a continuation of the exemption, and I'm hopeful that baseball will still deserve it.

But here in the field of health care, I think it's hard to defend any argument that the health insurance industry deserves or requires or needs an exemption, and for that reason I am urging all of my colleagues to examine this two-page bill and scrutinize it. Let's see if we can get a refreshingly large bipartisan vote that could lead the American people to reflect on the fact that we can be liberals and conservatives without rancor or animosity or personalizing our philosophical differences, and that's the appeal that I offer to my colleagues on the other side.

There are those that wonder if this would create some kind of a chill or curtailment of creativity if this exemption were removed, and I don't think that that is very logical. We think that the antitrust laws are fairly elementary. They don't conspire against competition. They don't try to reserve creativity. We want competition, and it is the exemption from antitrust liability that this becomes very, very critical.

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

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, let me thank Chairman CONYERS for his comments. He is always gracious in making those. He is right. We have had a good discussion today about this particular piece of legislation. And I also want to say that he and I have a very good working relationship on the Judiciary Committee as well.

In regard to this bill, Mr. Speaker, I have to say that as much as some might hope that it did something or hope that it accomplished something or might wish that the bill did something or might pretend that the bill did something, in point of fact, the Congressional Budget Office disagrees. Members are free to wish upon a star, but this bill is a dim bulb.

Mr. Speaker, the Congressional Budget Office says that ''whether premiums would increase or decrease as a result of this legislation is difficult to determine, but in either case, the magnitude of the effects is likely to be quite small.'' ''Quite small.''

So, Mr. Speaker, what's the point of this bill? CBO goes on to say that premium reductions from this bill are likely to be small because ''State laws already bar the activities that would be prohibited under Federal law if this bill was enacted.''

So again, Mr. Speaker, what's the point of this bill?

I could list all the reasons why this bill is ineffective, useless, unproductive, pointless, futile, and meaningless. Instead, I would like to highlight something we could do to actually drive down health care costs.

Last October, the CBO concluded that a tort reform package consisting of reasonable limits on frivolous lawsuits would reduce the Federal budget deficit by an estimated $54 billion over the next 10 years. That $54 billion in savings from tort reform could be used to provide health insurance for many of the uninsured without raising taxes on those who already have health insurance policies.

Also, according to the CBO, under a Republican-sponsored health care tort reform bill called the HEALTH Act, ''premiums for medical malpractice insurance ultimately would be an average of 25 percent to 30 percent below what they would be under current law.''

And a GAO report stated that ''losses on medical malpractice claims, which make up the largest part of insurers' costs, appear to be the primary driver of rate increases in the long run.''

Mr. Speaker, rather than spend time on a bill that the CBO said would yield a ''quite small,'' if any, change in health care premiums, we should instead take up a bill the CBO concluded would save us $54 billion. The American people deserve real health care reform, not a feeble and feckless substitute.

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

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland, Mr. FRANK KRATOVIL.

Mr. KRATOVIL. Mr. Speaker, for months we have been debating how to improve the health care system. We have focused on two major goals: One is increasing the number of those who have coverage, and the second major goal is doing what we can to reduce the costs for those that do. One way, obviously, to accomplish these goals is to increase competition. In fact, it's one of the few areas where, in this debate, we have seen bipartisanship. There have been recommendations, various recommendations, on how to do that. One is the bill that we have today. There have been other suggestions, allowing for competition across State lines.

The point is we all know that one of the ways to accomplish the major goals that we seek to accomplish is to create competition, and that is what this bill does. We need to ask the question: Why would we allow this exemption to continue when we do not do that for other industries? Why would we do that when no public interest is served by doing so?

Now, this may not be the silver bullet, but certainly everyone agrees that in order to improve our health care system, we must increase competition. That's not a partisan issue. That's what this bill does. And for that reason, I ask my colleagues to support it.

Mr. CONYERS. Mr. Speaker, NANCY PELOSI is the first female Speaker of the House in American history. She is the third ranking person in our Federal Government. And we are all honored to recognize her for 1 minute at this time.

Ms. PELOSI. I thank the chairman for his generous remarks and for his tremendous leadership in bringing this important legislation to the floor. Mr. CONYERS is well known as a champion of the people, and today he demonstrates that once again.

This House of Representatives, Mr. Chairman, is called the people's House, and you are a leader in the people's House. Today we live up to that name by passing legislation that increases leverage for people. By changing the playing field, a playing field that has been dominated by the insurance industry for over 65 years. And now it's the people's turn. The insurance companies will now be playing on the people's field.

Mr. CONYERS, thank you for your ongoing leadership, for fairness, for competition, for a better deal for the American people.

I also want to commend chairwoman of the Rules Committee, LOUISE SLAUGHTER, for her ongoing and persistent insistence that this legislation come to the floor. When she served in the State legislature in New York, she was fighting this fight.

This antitrust exemption was passed, again, over 60 years ago and it was supposed to last 3 years. Sixty-five years later we are on the floor of the House to finally repeal the special exemption that insurance companies have that no other industry, except Major League Baseball, has in our country.

I also want to commend Mr. DEFAZIO, who has been a champion on this issue, Congressman DEFAZIO from Oregon. He has worked with our new Members of Congress, and they have been a source of energy to move this legislation: Congresswoman BETSY MARKEY of Colorado; Congressman TOM PERRIELLO of Virginia, the author of this bill. We're grateful to them for their courage and their leadership, because the insurance companies don't want this bill but the American people do, and I commend those who have worked so hard.

Another new Member of Congress, Congressman GARAMENDI, a former insurance commissioner of the State of California, played a role effective from the start as soon as he arrived to get this legislation to the floor. And, again, I believe that the legislation has many Republican supporters as well. So that, of course, is really a source of confidence to us as we go forward into the health care debate.

One year ago, we began this debate on health care, quality, affordable health care for all Americans. We got a running start on it in the recovery package with big investments in basic biomedical research and health information technology, so we were on the cutting edge of science and technology for this. We had a running start on it by passing the SCHIP in a bipartisan way, State Children's Health Insurance Program, insuring 11 million children in America. And then the debate has gone on from the summit the President had a year ago in a bipartisan way to a summit he will have tomorrow as well. But in the meantime, this very important piece of legislation is before us today.

I have always said that any health care reform had to make the AAA test. It had to have affordability for the middle class, accessibility for many more people, and accountability for the insurance companies. Accountability for the insurance companies. No longer would they have it all their way. And that's what this legislation does.

We had this on the agenda, and then the snows came and we had to put it off. And in between the time when we all got snowed out or snowed in, Anthem in California announced that it was going to raise its rates 39 percent: 39 percent, Anthem Insurance Company; 39 percent for health insurance.

□ 1500

Over the past decade, insurance rates have gone up over 150 percent. And this continues in Michigan, Kansas, other places in the country these insurance rates have gone up because the insurance companies simply have not been accountable. And this has worked to the disadvantage of the American people.

So again, I commend all of those who played a part in bringing this to the floor, to the bipartisan discussion that took place in committee that has been mentioned, and for hopefully the strong bipartisan support we will see today.

But again I want to come back to Chairman CONYERS, because he is the person when it comes to speaking out for the people, chairman of the Judiciary Committee, a very prestigious position, one with a great deal of responsibility to make sure that the pledge we take each day, with liberty and justice for all, is lived up to. And today we are providing much more competition, much more freedom for the American people by expanding their choices with this important legislation.

I urge our colleagues to support the legislation, once again salute all those who made it possible to bring this before the people's House today. Thank you, Mr. Chairman.

Mr. VAN HOLLEN. Mr. Speaker, as an original cosponsor, I rise in strong support of legislation that will end the unfair advantages that health insurance companies currently enjoy today. I want to commend my colleagues Representatives PERRIELLO and BETSY MARKEY for their leadership and advocacy on this very important issue.

I hope most of us would agree that health insurance companies should play by the same rules as every other industry in America. For far too long, the health insurance industry has been exempt from the Federal antitrust laws that govern other businesses. As a result, they are not subject to Federal laws banning price fixing, market manipulation, collusion, or other anticompetitive business practices.

It is apparent that there is no real competition in parts of the health insurance market. In the last few weeks, we have seen health insurance companies impose huge premium increases on consumers. Anthem Blue Cross of California announced a 39 percent price hike in premiums for their consumers. The Department of Health and Human Services has reported that several large health insurance companies across the country have requested premium increases of anywhere between 16 percent and 56 percent. These huge premium increases come after a year of record profits for the top five health insurance companies in America. Last year, as Americans struggled to pay their health insurance costs, insurance companies' profits jumped by 56 percent.

Quite simply, the legislation we are considering today will repeal the blanket antitrust exemption afforded to health insurance companies under the McCarran-Ferguson Act. We must hold health insurers accountable when they engage in anti-competitive behaviors that benefit their profit margins at the expense of American families.

Mr. Speaker, we are taking a small but very critical step towards health insurance reform and fixing a part of our broken health care system while Congress continues to work on comprehensive health care reform to bring more affordable and accessible care for all Americans. I urge my colleagues to support this much-needed bill.

Mr. HOLT. Mr. Speaker, I rise in strong support of the Health Insurance Industry Fair Competition Act, H.R. 4626, legislation that

would remove the health insurance industry's antitrust exemption. As a cosponsor of this important legislation, I urge my colleagues to join me in supporting this bill to expand competition, improve the affordability of health insurance, and give families more choices.

I have heard from many hard-working New Jerseyans, who are struggling under the current insurance system. The system is too expensive and leaves too many people without good, secure coverage. Families are paying higher and higher premiums for less coverage. Our businesses are struggling to afford health care for their employees and find themselves at a competitive disadvantage compared to companies in other countries. Those problems have not gone away and must be addressed.

The legislation we are considering today would lower costs and provide new insurance options for families by repealing the insurance special exemption to antitrust law. This exemption was created by the 1945 McCarran-Ferguson Act with the intention of helping new small insurance companies by allowing them to access historical insurance data for setting their premiums and left all antitrust regulation to the states.

Instead of encouraging new small insurance companies, this antitrust exemption has stifled competition. A single insurance company controls more than half the insurance market in 16 states, while in New Jersey the top two companies control almost 60 percent of the market. Lack of competition has led to growing insurer profits, increased costs and reduced coverage for patients, and an epidemic of deceptive and fraudulent conduct.

By repealing the special antitrust exemption for health insurance companies, health insurers would be held accountable for fixing prices, dividing up market territories, using predatory pricing, or rigging bids. This bill makes the federal government a partner with states who lack the resources to go after insurance companies that have violated the law.

This bill is one part of reform needed to improve the health care that all Americans receive by holding health insurance companies to the same good-competition rules that other industries face. I encourage my colleagues to vote in favor of this bill to lower costs and provide new options for patients.

Mr. LOEBSACK. Mr. Speaker, I am submitting the following statement for the record in support of the Health Insurance Industry Fair Competition Act, which would end the antitrust exemption that currently gives special privileges to health insurance companies.

If we do not pass this legislation, American consumers will continue to pay more for health insurance, if they can afford it at all, because of a lack of competition in the insurance market.

According to the AFL–CIO, profits at 10 of the country's largest publicly traded health insurance companies rose 428 percent from 2000 to 2007. At the same time, consumers paid more for less coverage. At the root of this problem is the growing lack of competition in the private health insurance industry that has led to near monopoly conditions in many markets.

There is no reason why health insurance companies should continue to receive this favored treatment from the federal government while millions of Americans pay the price.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today as an original cosponsor and strong supporter of H.R. 4626 the Health Insurance Industry Fair Competition Act.

Since 1940s, the McCarran-Ferguson Act has exempted the insurance industry from all federal antitrust laws giving health insurers freedom to raise premium prices, deny coverage for preexisting conditions, and change their reimbursement rates.

Right now millions of Americans are at the mercy of the health insurance companies with premium increases going up in the double digit percentage points across the country. These premium increases are not to enhance insurance plans, but to add to the extremely large profit margins of insurance companies.

Seemingly, there is no end in sight to this business practice because there is little competition in the health insurance market that benefits the consumer. If this continues health insurance premiums will continue to rise as long as we allow the insurance companies to control markets.

We know that competition in the marketplace leads to lower prices and more options that benefit the consumer. There is no reason why the health insurance industry, with their outrageous spending on lavish retreats and executive salaries at the expense of the consumer, should not be forced to compete for business on a level playing field and control their costs and spending on non-health care related items.

Right now, health insurance costs are out of control and if individuals cannot afford health insurance they end up in emergency rooms forcing the health care system and the taxpayer to pay for their expenses. Yet, the insurance companies continue to see increased profits while making it nearly impossible for individuals to gain access to or afford a policy.

H.R. 4626 is one way we can fix the monopolies the health insurance industry has over the consumer and will make insurance coverage more affordable for individuals and small businesses.

This is a step in the right direction, but we desperately need health reform in this country. All individuals should have access to quality and affordable health insurance and we will not accomplish that without reforms throughout our health care system.

I strongly support H.R. 4626 because insurance anti-trust reform is one piece of the pie as we move forward.

Ms. DELAURO. Mr. Speaker, this past summer, in my home state of Connecticut, Anthem tried to raise health insurance premiums by up to 32 percent. Right now, in California, the same company is trying to pull the same trick—trying to increase their rates by as much as 39 percent.

Unfortunately, we now know that the top five insurers in America saw record-breaking profits in 2009. We have seen increases in profits of 91 percent at WellPoint, and a whopping 346 percent at Cigna.

How is this happening, in the midst of an historic recession? A lot of reasons, and central among them the fact that, according to long-established antitrust standards, there is no real competition in the insurance market today. In fact, there have been more than 400 mergers among health insurers in the past 14 years. So, insurers get away with price-gouging mainly because they can.

We have coddled this industry far too long. It is time to remove insurers' special antitrust exemption and to make them play on the same level playing field as every other business in America. I hope that all my colleagues who consistently espouse the virtues of a free market will join us in passing this bill today.

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

The SPEAKER pro tempore. All time has expired.

Pursuant to House Resolution 1098, the previous question is ordered.

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

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

MOTION TO RECOMMIT

Mr. SMITH of Texas. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. SMITH of Texas. I am in its current form.

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

The Clerk read as follows:

Mr. Smith of Texas moves to recommit the bill (H.R. 4626) to the Committee on the Judiciary, with instructions to report the bill back to the House forthwith with the following amendments:

Strike subsection (a) of section 2 of the bill and insert the following (and make such technical and conforming changes as may be appropriate):

(a) AMENDMENT TO MCCARRAN-FERGUSON ACT.—Section 3 of the Act of March 9, 1945 (15 U.S.C. 1013), commonly known as the McCarran-Ferguson Act, is amended by adding at the end the following:

''(c)(1) Nothing contained in this Act shall modify, impair, or supersede the operation of any of the antitrust laws with respect to the business of health insurance. For purposes of the preceding sentence, the term 'antitrust laws' has the meaning given it in subsection (a) of the first section of the Clayton Act, except that such term includes section 5 of the Federal Trade Commission Act to the extent that such section 5 applies to unfair methods of competition.

''(2) Paragraph (1) shall apply only to health insurance issuer (as that term is defined in section 2791 of the Public Health Service Act (42 U.S.C. § 300gg-91) to the extent that the issuer engages in the business of health insurance.

''(3)(A) Paragraph (1) shall not apply to—

''(i) collecting, compiling, classifying, or disseminating historical loss data;

''(ii) determining a loss development factor applicable to historical loss data;

''(iii) performing actuarial services if doing so does not involve a restraint of trade, or

''(iv) information gathering and rate setting activities of a State insurance commission or other State regulatory entity with authority to set insurance rates.

''(B) The term 'historical loss data' means information respecting claims paid, or reserves held for claims reported, by any person engaged in the business of insurance.

''(C) The term 'loss development factor' means an adjustment to be made to the aggregate of losses incurred during a prior period of time that have been paid, or for which claims have been received and reserves are being held, in order to estimate the aggregate of the losses incurred during such period that will ultimately be paid.''.

At the end of the bill, add the following (and make such technical and conforming changes as may be appropriate):

SEC. 3. GAO REPORT.

Three years after date of enactment of this Act, the Government Accountability Office shall submit, to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, a report on whether this Act has reduced unfair competition in the health insurance market in each of the 50 States. Such report shall specify whether, as a result of this Act, the reduction in unfair competition, if any, has resulted in increased price competition in the business of health insurance.

Mr. SMITH of Texas (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read.

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

Mr. DEFAZIO. Mr. Speaker, reserving the right to object, is this the one previously noticed and delivered a couple hours ago? Is that the motion to recommit? I just want to make sure it is exactly the same language.

The SPEAKER pro tempore. The pending motion is at the desk.

Mr. DEFAZIO. I withdraw my reservation.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas is recognized for 5 minutes in support of the motion.

Mr. SMITH of Texas. Mr. Speaker, I support this motion to recommit on H.R. 4626, the Health Insurance Industry Fair Competition Act. As I stated in my earlier comments, this legislation does little, if anything. However, if you are going to do nothing, you might as well do it better.

This motion corrects three drafting errors that create problems with the bill. First, it adds a definition for health insurers that was absent from the base bill. If we are going to eliminate McCarran-Ferguson for a limited subset of insurers, then we should clarify who those insurers are.

Second, this motion to recommit includes the exchange of data provision that Mr. LUNGREN added at the Judiciary Committee markup of a similar bill. It is necessary to ensure that small and medium health insurers can in fact compete in the marketplace.

Third, the motion to recommit includes language that protects the rate gathering and rate setting activities of State insurance commissions. The majority assumes this will be protected by the State action doctrine. But if Congress is going to repeal a 65-year-old law, shouldn't we make clear that we do not want this to undermine State insurance commissions?

Finally, the motion to recommit includes a GAO study on the impact of this legislation on competition in the health insurance market. Specifically, the GAO must report on whether or not this legislation has enhanced competition, resulting in lower prices and new competitors in the market. Let's put political rhetoric aside and see what the bill really does. We shouldn't be afraid of the truth.

In short, this motion to recommit includes definitions and clarifications that the majority has already included in earlier versions of this legislation that either were reported favorably by the Judiciary Committee or were passed by the full House. This isn't much of a bill, but let's try to improve what little there is.

I yield to the gentleman from California, a senior member of the Judiciary Committee.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I would like to refer to that part of the motion to recommit that deals with the amendment that I offered and that was contained in the bill that passed out of the Judiciary Committee. It simply allows historical data to be utilized by insurance companies large and small. This is something that is requested by the small insurance companies, this is something supported by the American Bar Association. Their representative who testified before our subcommittee on behalf of or in support of the underlying legislation supported this amendment so that in fact small insurers would not be disadvantaged.

Let's get this right. There are some who have told me on the other side that, well, we don't need this because it will be allowed by the U.S. Justice Department or by the courts. We ought not to wait for that. We ought to give some real solid certainty to insurance companies, particularly the small insurance carriers. So if we wish to permit the collection of historical data, let's make it clear what we intend. Just because we haven't brought forward on this floor some answer to the medical malpractice litigation issue is no reason for us to commit legislative malpractice here. We ought to do our job. We ought to not pass it on.

Now, there are a few people who don't think that historical data should even be allowed. If that is the way they feel, I understand it. Most Members I have spoken to believe it ought to be allowed. They understand the absolute essence of it in terms of the continued existence of small insurers across the country.

Let's get it right. I have the language virtually the same that was contained in the majority's health care bill that passed just a couple of months ago. It is the same as contained in the bipartisan bill that came out of our committee. And most importantly, it is the same language contained in the various bills presented to this House by the late great Jack Brooks, chairman at that time of the House Judiciary Committee, about whom Members on the other side have waxed eloquently. And in tribute to him, I would hope they would support the gentleman's motion to recommit that contains my amendment.

Mr. SMITH of Texas. I yield back the balance of my time.

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

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

Mr. DEFAZIO. I thank the Speaker.

Simple question before the House today. Should the health insurance industry live under the same antitrust rules and have the same consumer protections as are provided for every other major industry in America without special exception, without carve-outs, without loopholes? No more collusion to get together, to conspire to limit markets, coverage, and drive up rates. The American people want and they need this protection.

Now, they say there is a study throughout that says this won't save money. That study was actually based on the language they are offering. Yes, if we provide these loopholes it well may not bring down rates. But if we don't vote for their loopholes, we will bring down rates. The Consumer Federation of America says we will save $10 billion in ratepayer premiums next year if we adopt this amendment straight up without their loopholes.

With that, I yield to the gentleman from California.

Mr. GARAMENDI. Thank you.

Mr. Speaker, directly to Mr. LUNGREN's proposed amendments, actually there are three major elements. If you look at those major elements, they do in fact give the insurance industry the opportunity to collude, because that is the data that sets future prices for consumers as well as payments for doctors.

I know this business. I was the Insurance Commissioner in California for 8 years. And I know that if an insurance company is able to collude in collecting, compiling, classifying, or disseminating historic data and determining a loss development factor, and finally, using actuarial services, they have the power to collude. This is an incredible loophole. It should never be allowed.

And the final point having to do with the insurance commissioners collecting data, nowhere in any antitrust laws are States precluded from any collection of data. This ought not be put forth. I ask for a ''no'' vote.

Mr. DEFAZIO. I yield to the gentleman from New York.

Mr. WEINER. You know, you got to love these Republicans. I mean, you guys have chutzpah. The Republican Party is . . . That is the fact. They say that, well, this isn't going to do enough, but when we propose an alternative to provide competition, they are against it. They say that, well, we want to strengthen State insurance commissioners, and they will do the job. But when we did that in our national health care bill, they said we are against it. They said they want to have competition, and when we proposed requiring competition, the Republicans are against it. They are . . . That is the fact.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask that the gentleman's words be taken down.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman from New York will be seated.

The Clerk will report the words.

Mr. WEINER. Mr. Speaker, I ask unanimous consent to address the House for the purpose of amending my remarks.

The SPEAKER pro tempore. Does the gentleman seek unanimous consent to withdraw his words?

Mr. WEINER. I would request unanimous consent to substitute other words.

The SPEAKER pro tempore. That would require a withdrawal.

Mr. WEINER. I ask unanimous consent to withdraw my words.

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

There was no objection.

Mr. WEINER. How much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Oregon has 3 minutes remaining.

The gentleman from New York is recognized.

Mr. WEINER. Make no mistake about it: . . .

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask the gentleman's words be taken down once more.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman from New York will be seated.

The Clerk will report the words.

Mr. WEINER. Mr. Speaker, I ask unanimous consent to withdraw the offending comments.

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

Mr. DANIEL E. LUNGREN of California. Reserving the right to object, has the Chair ruled as to whether the gentleman's words are inappropriate under the rules of the House and the precedents of the House?

The SPEAKER pro tempore. There has been no ruling at this time. The gentleman has offered to withdraw the words.

Mr. DANIEL E. LUNGREN of California. I withdraw my reservation.

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

There was no objection.

Mr. DEFAZIO. May I inquire as to the time now that is left?

The SPEAKER pro tempore. The gentleman from Oregon has 2 minutes and 50 seconds remaining.

Mr. DEFAZIO. I yield to the gentleman from New York.

Mr. WEINER. I thank you very much. But the point is very simple. There are inequities in the present way we distribute insurance, the way we distribute health care. There are winners, and there are losers. The winners are the insurance industry. And our efforts to reel in the insurance profits, not just because they shouldn't make profits—they're doing what they're supposed to. But what they're doing is driving up taxes, they're driving our economy into the ground, and we need competition and choice to deal with that. That's what this legislation does, and the motion to recommit undermines it.

I've heard a couple of times today, well, we have an effort for bipartisanship here. No, there is not bipartisanship on this fundamental issue; and that is, the people who sit on this side, at the risk of offending anyone, generally support the idea of standing up for the American people in their daily battles against high insurance. And the people, generally speaking, who sit on this side of the Chamber, and specifically speaking as well, in a lot of cases, simply won't permit that to happen and haven't for a generation.

That's going to end now. That is going to end because we are going to have competition. We are going to make sure that there are regulations, and we're going to make sure that the American people aren't gouged. That's what the American people stand for. And time and time again people say, well, I don't really want to undermine this bill, I just want to weaken it to the point that it's meaningless.

And then I've heard my good friend from Texas say, well, this doesn't do anything. But every single time we've tried to do something, like a tiny sliver of competition called the public option, they've said, no; we can't withstand competition. We can't have that.

Enough of the phoniness. We are going to solve this problem because for years our Republican friends have been unable to and unwilling to. Deal with it.

Mr. DEFAZIO. I thank the gentleman for those remarks.

The SPEAKER pro tempore. The gentleman from Oregon has 1½ minutes remaining.

Mr. DEFAZIO. We have before us a simple question: Will we repeal a 62-year old artifact that is a special favor for the insurance industry, an exemption from the laws of the land of antitrust, which are designed to promote competition, to protect consumers, and for a free market economy.

You can't have a free market economy when people can collude, when they can get together to limit markets and competition, when companies become so huge they dominate urban areas and entire States; one company. Consumers have virtually no choice in much of America. They have to eat those huge rate increases or not. We can take a meaningful step here today to bring down the cost of health insurance for all Americans. The Consumer Federation of America says this will save consumers $10 billion next year, and they say that's nothing. Well, say that to your consumers at home if you vote against this bill.

Creating these loopholes undermines the entire effort here today. We do not need these loopholes. We need this industry to play by the same rules as every other industry in America.

Vote against the motion to recommit, and vote for competition and consumer protection for all Americans in health insurance.

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I would like to ask unanimous consent if I might revise my remarks. I referred to Jack Brooks as the late great. I didn't mean to suggest that he is no longer with us. He is great but he is not late.

The SPEAKER pro tempore. Without objection.

There was no objection.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4626, if ordered; and suspension of the rules with regard to House Resolution 1085.

The vote was taken by electronic device, and there were—yeas 170, nays 249, not voting 13, as follows:

[Roll No. 63]

YEAS—170

Aderholt
Adler (NJ)
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kilroy
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Roe (TN)
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—249

Abercrombie
Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—13

Barrett (SC)
Blunt
Buyer
Davis (KY)
Dingell
Hoekstra
Maloney
Pitts
Radanovich
Reichert
Schock
Stark
Wilson (SC)

□ 1545

Ms. ESHOO, Messrs. BERRY, BOSWELL, GONZALEZ, BUTTERFIELD, Ms. BERKLEY, Messrs. CLEAVER, GEORGE MILLER of California, ORTIZ, WALZ, GUTIERREZ, Ms. VELÁZQUEZ, Ms. ROYBAL-ALLARD, Mr. CROWLEY, Ms. SUTTON, and Mr. CHILDERS changed their vote from ''yea'' to ''nay.''

Messrs. GINGREY of Georgia and COLE changed their vote from ''nay'' to ''yea.''

So the motion to motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 406, nays 19, not voting 8, as follows:

[Roll No. 64]

YEAS—406

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—19

Akin
Boehner
Brady (TX)
Broun (GA)
Buyer
Franks (AZ)
Garrett (NJ)
Jenkins
Jordan (OH)
King (IA)
Lamborn
Linder
Moran (KS)
Paul
Price (GA)
Ryan (WI)
Sensenbrenner
Tiahrt
Westmoreland

NOT VOTING—8

Barrett (SC)
Blunt
Dingell
Hoekstra
Pitts
Radanovich
Reichert
Stark

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1555

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE CONTRIBUTIONS OF AFRICAN AMERICANS TO THE TRANSPORTATION AND INFRASTRUCTURE OF THE UNITED STATES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1085, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. CORRINE BROWN) that the House suspend the rules and agree to the resolution, H. Res. 1085.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 13, as follows:

[Roll No. 65]

YEAS—419

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—13

Barrett (SC)
Blunt
Cardoza
Culberson
Davis (AL)
Dingell
Hoekstra
Linder
Miller, George
Pitts
Radanovich
Reichert
Stark

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1605

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

RECOGNIZING THE DIFFICULT CHALLENGES AND HEROISM OF BLACK VETERANS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 238) recognizing the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 238

Whereas there has been no war fought by or within the United States in which Blacks did not participate, including the Revolutionary War, the Civil War, the War of 1812, the Spanish American War, World Wars I and II, the Korean War, the Vietnam War, the Gulf War, Operation Enduring Freedom, and Operation Iraqi Freedom;

Whereas Frederick Douglass voiced his opinion in one of his autobiographies, ''Life and Times of Frederick Douglass'', writing, ''I . . . urged every man who could, to enlist; to get an eagle on his button, a musket on his shoulder, the star-spangled banner over his head,'' later remarking that ''there is no power on Earth which can deny that he has earned the right to citizenship in the United States.'';

Whereas during the Civil War, Black soldiers, commonly referred to as the United States Colored Troops, were treated as second-class citizens, the health care and hospitals available to them were substandard, and they often died from neglect of services that was supposed to be administered by medical personnel;

Whereas Dr. W.E.B. DuBois and William Monroe Trotter, members of the first generation of freedom's children, founded the Niagara Movement in 1905;

Whereas in his book, ''Black Reconstruction in America'', published in 1935, DuBois wrote that ''[n]othing else made Negro citizenship conceivable, but the record of the Negro soldier as a fighter.'';

Whereas the 369th Infantry, known as the Harlem Hell-fighters, fought the Germans during World War I as part of the French Army and served the longest stretch in combat—191 days without replacement—without losing a foot of ground or a man as prisoner;

Whereas at the end of the service of the 369th Infantry, the entire regiment received the Croix de Guerre, which was France's highest military honor, from a grateful French nation;

Whereas Alain Locke, the first black Rhodes Scholar, wrote in 1925 about a ''New Negro'' who had returned from battle with a bold new spirit that helped spark a new mood in the Black community;

Whereas in 1917, Charles Hamilton Houston encountered racism after entering World War I as a commissioned first lieutenant in the segregated 17th Provisional Training Regiment, later writing that ''I made up my mind that if I got through this war I would study law and use my time fighting for men who could not strike back.'';

Whereas Dorie Miller, a messman attendant in the Navy, was catapulted to national hero status and an icon to generations, after displaying heroism on board the USS West Virginia during the Japanese attack on Pearl Harbor on December 7, 1941;

Whereas before becoming a famous baseball player, Jackie Robinson was court-martialed in the Army for refusing to sit in the back of the bus in 1944, and when he was later acquitted, he wrote that ''[i]t was a small victory, for I had learned that I was in two wars, one against the foreign enemy, the other against prejudice at home.'';

Whereas the famed Tuskegee Airmen, a group of Black pilots, flew with distinction during World War II under the command of Captain Benjamin O. Davis, Jr., the highly decorated officer who served for more than 35 years and became the first Black general in the Air Force;

Whereas during World War II, the 6888 (known as the ''Six Triple Eights''), the first all-woman Black Postal Battalion who served in England and then France, were given the daunting task of clearing out a two-year backlog of over 90,000 pieces of mail, succeeded in their mission, completed it in three months, and went on to make a positive impact on racial integration in the military;

Whereas during World War II, the Army's 92nd Infantry Division, better known as the ''Buffalo Soldiers'', which traces its direct lineage back to the 9th and 10th Cavalry units from 1866 to the early 1890s, was the only Black segregated unit to experience combat during the Italian campaign of 1944–45 with several members later earning Medals of Honor for bravery;

Whereas Reverend Benjamin Hooks, who served in the 92nd Division, found himself in the humiliating position of guarding Italian prisoners of war who were allowed to eat in restaurants that were off-limits to him;

Whereas even after President Truman issued Executive Order 9981 desegregating the military on July 26, 1948, discrimination continued;

Whereas in 1946, when Charles and Medgar Evers tried to register to vote, they were turned away at the polling station;

Whereas after serving overseas in the Army, Charles and Medgar Evers returned home to Mississippi where, in 1952, they began to organize voter registration drives for the National Association for the Advancement of Colored People (NAACP);

Whereas Oliver L. Brown, a World War II Army veteran from Kansas, and Harry Briggs, a World War II sailor from South Carolina, were the fathers of two of the five named plaintiffs in Brown v. Board of Education of Topeka and Briggs v. Elliott, the historic school desegregation cases of 1954;

Whereas the Black heroes and heroines of World War II and the Korean War, such as Private Sarah Keys and Women's Army Corps (WAC) officer Dovey Roundtree, won significant victories against discrimination in interstate transportation in landmark civil rights cases, including Keys v. Carolina Coach Company, which was decided in 1955, six days before Rosa Parks' historic protest of Alabama's Jim Crow laws in Montgomery;

Whereas in his address at Riverside Church on April 4, 1967, Dr. Martin Luther King, Jr., commented on the irony of Blacks fighting in Vietnam to guarantee liberties in Southeast Asia while not enjoying the same rights at home;

Whereas Black veterans who were in the forefront of the leadership of the Civil Rights Movement, with their strong resolve to address the paradox of military service abroad and the denial of basic rights at home, brought deeper meaning to the word ''democracy'', and through their example, transformed the face of the United States;

Whereas the Black veterans of the Nation's wars sowed the seeds for today's bountiful harvest through the Niagara Movement, the NAACP, and the latter-day Civil Rights Movement, all of which share a common ancestry in the Civil War, without which there would be no Civil Rights Movement and no equal rights for all Americans; and

Whereas today, Black veterans suffer at a disproportionate rate from chronic illnesses and homelessness and are plagued by health disparities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes—

(1) the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation; and

(2) the need for the Department of Veterans Affairs to continue to work to eliminate any health and benefit disparities for our Nation's minority veterans.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Louisiana (Mr. CAO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

I rise in support of House Concurrent Resolution 238, the critical and essential role of black veterans in the civil rights movement, sponsored by the gentleman from North Carolina (Mr. KISSELL). I want to thank my colleagues in the House and especially on the Committee on Veterans' Affairs, Ms. CORRINE BROWN from Florida particularly, for being original cosponsors and bringing this to the House floor as quickly as we did. I want to also recognize the National Association for Black Veterans, the NAACP, and other civil rights organizations for their continued hard work to ensure equality of rights for all persons.

The proposed resolution honors the heroic sacrifices of black veterans and recognizes the fundamental role that those veterans played in the evolution of the civil rights movement. It recognizes, also, the difficult challenges that black veterans face when returning home after serving in the Armed Forces and encourages the Department of Veterans Affairs to continue working to eliminate any health and benefit disparities for minority veterans. I note that this resolution derived from a similar unabridged resolution approved by the NAACP during its centennial convention in July of 2009, which I had the privilege to attend and participate.

This resolution represents a small token of gratitude that Congress can provide for these veterans who have sacrificed so much for our country, often in the face of tremendous challenges, and serves also as a reminder that we have a long way to go.

I will yield for as much time as he may consume to Mr. KISSELL of North Carolina.

Mr. KISSELL. Thank you, Mr. Chairman.

Mr. Speaker, I also rise in full support of House Concurrent Resolution 238. I would like to thank Chairman FILNER and Representative BROWN and others that made this bill possible.

As a son of a World War II veteran and coming from a part of North Carolina that has a high proportion of veterans and as a student of history, we take full honor and pride in any opportunity to talk about our veterans and what they've done for our Nation throughout history. It is with great pride that, during this Black History Month, we have the opportunity to recognize the contributions of African American veterans and what they have done for our Nation.

Throughout history, they have answered the call, from the Revolutionary War on. African Americans have fought for this Nation often as second-class citizens and often coming home as veterans and not enjoying the full benefits and the rights of our Nation. Throughout the years, African Americans have answered the call of Frederick Douglass, who said, every man that could to enlist, to get an eagle on their button, a musket on their shoulder, and a star-spangled banner over their head.

Throughout the years, we have seen great heroic acts from African Americans, whether individually or as part of a unit. And to recognize some of these today, I would like to bring forth the 369th Infantry, the Harlem Hellfighters, who, during World War I, went to Europe and were loaned to the French to fight with them. They fought for 191 straight days without replacements, without giving up any grounds, and without losing any of their members as prisoners. The French so appreciated the 369th, they gave them the Croix de Guerre, the highest honor the French can give any unit of the military.

Individuals such as Dorie Miller, who won great fame while he worked in the

mess in the Battleship West Virginia, on December 7, 1941, he rose to the decks and he fought back in the great epic battle of Pearl Harbor and became a national hero.

Jackie Robinson. He fought for his Nation and he fought against the segregation of the military long before he took on the battle of integrating professional baseball.

The famous Tuskegee Airmen, led by Captain Benjamin Davis, the Tuskegee Airmen, who fought in the airplane designated the P–51, the Mustang. They had the famous red tail. The red tails became famous in the air over Europe during World War II. Our bomber crews always looked for the red tails, because there was not a single bomber lost to enemy fighters while the red tails were protecting them.

In the 92d Infantry, the only all-black infantry to fight in Italy, many members of which won the Congressional Medal of Honor, a military unit that was the direct descendant of the Buffalo Soldiers of the 9th and 10th Cavalry that was active from 1866 into the early 1890s.

But all too often these veterans, once again, had to come home and be treated as second-class citizens. Even after Harry Truman issued the Executive order to integrate the military, it was not until many years that we saw equity even begin to be approached.

□ 1615

So many of these veterans came home and took prominent roles in the civil rights movement, and it meant so much to their communities and to this Nation as we move forward.

Mr. Speaker, so often as we look at the big picture of our legislation and of our resolutions, we always know that it comes back to individuals. I would like to take a moment of personal privilege to talk about a family from my hometown in Biscoe, North Carolina. It is a family with a mother who was a lady extraordinaire, Ms. Kagel, with many sons and daughters and grandsons and granddaughters who contributed so much to our community and still do. She had four sons who served our Nation—Pete, Jimmy, Lee, and Dan—who are my friends.

Jimmy and I are members of the same church.

Let me talk about Dan for just a second. He is a veteran of the Korean war. He was in the Air Force, and he worked at the school that I attended when I was in elementary school. He had the patience to answer many questions from my friends and me about his service. While I grew to know Dan as a friend, as a man, and as many things, I thought of him, first and foremost, as a veteran because he represented, as we are honoring here today, the African Americans who went and served our Nation and who then came back and served our communities.

This resolution recognizes the accomplishments of these veterans. It also recognizes the inequities that have been in the VA system for too long. It calls upon the VA to always try to make sure that the inequities in terms of benefits and in terms of how illnesses are treated are ironed out and are made equal as we move forward.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 238, a resolution in honor of black veterans—their patriotism and their heroic military service and sacrifices on behalf of our Nation.

It is appropriate in this last week of Black History Month that we honor and recognize the contributions of black Americans who fought in the Armed Forces for our Nation's freedom from the time of the American Revolution through today's fighting force. This resolution only lists a few of the countless deeds and individuals who fought for freedom despite racial prejudices they faced during their service and following their return from combat.

Clearly, these brave warriors' love for our Nation is rooted in the love of freedom itself. They fought to help the United States of America become and remain that which our Founding Fathers envisioned—the shining city on the hill and the beacon of freedom and hope for all people.

I would like to thank the sponsor of this legislation, Mr. KISSELL of North Carolina, as well as Chairman FILNER, Ranking Member BUYER, and Ms. BROWN for their work in bringing this legislation to the floor so quickly.

African Americans have contributed greatly to our Nation and also to the State of Louisiana, in particular, for centuries by defending our freedoms in the Armed Forces, even at a time when they, themselves, were not free. Had it not been for the service of African Americans in 1814–1815 in the Battle of New Orleans, which was really the battle for New Orleans from British control, the United States would not have the New Orleans we know and love today.

Today, there are more military veterans who are African American than any other minority group. I am proud to represent Orleans and Jefferson Parishes, which have large populations of African American veterans and members of the Armed Forces.

Mr. Speaker, I urge all of my colleagues to support House Concurrent Resolution 238.

I yield back the balance of my time.

Mr. FILNER. I thank the gentleman from North Carolina for his personal story.

Mr. Speaker, we have heard that black citizens of our country have made incredible sacrifices for our Nation. Yet, even with those sacrifices, many black veterans face tremendous challenges in the fight for civil liberties both at home and while they are serving.

I want to recognize, Mr. Speaker, because he is in the gallery, Joe Wynn of the Black Veterans of America, who has brought us this resolution. We thank him for all of his work on behalf of equality for all Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GARAMENDI). Members are reminded not to refer to people in the gallery.

Mr. FILNER. This resolution recognizes the soldiers and patriots who had to fight in both types of wars, and it helps to memorialize and to serve as a testament to their great spirit and determination.

We've heard about Jackie Robinson, but as a member of the Army before becoming the famous baseball player who broke the color barrier, he once suggested that he was in two wars—one against the foreign enemy, the other against prejudice at home.

Charles Hamilton Houston, who served as a commissioned 1st lieutenant in the 17th Provisional Training Regiment during World War I, boldly stated after encountering racism, ''I made up my mind that if I got through this war I would study law and use my time fighting for men who could not strike back.'' As we know, he became a famed civil rights lawyer and was the chief legal strategist behind Brown v. Board of Education.

In seeing this paradox of fighting for the promise of liberty and freedom abroad and experiencing the denial of basic rights at home, black veterans were often in the forefront of the leadership of the civil rights movement. For instance, Civil War veterans later became champions for equal pay in the military, and many World War II and Korean war veterans came home and organized voter registration drives.

Mr. Speaker, by their heroic deeds, black Americans brought deeper meaning to the word ''democracy.'' Their exemplary actions and activism on behalf of civil rights emboldened many others to participate in the NAACP, in the Southern Christian Leadership Conference, and in other civil rights organizations and activities. Ultimately, of course, they transformed the face of democracy in America.

Even though we have made great progress, black Americans, who were once denied the right to serve side by side in battle with other Americans, have achieved some of the highest ranks in our military and government: Benjamin O. Davis, Sr., the first black general in the Army; Benjamin O. Davis, Jr., the first black four-star general in the Air Force, who led the Tuskegee Airmen during World War II; and General Colin Powell, the first black Joint Chief of Staff. These men are just to name a few.

Unfortunately today, Mr. Speaker, black veterans are more likely to be homeless, are more likely to receive less than honorable discharges, and are more likely to suffer from disparities in treatment and access for many chronic illnesses, such as hypertension, kidney dysfunction, respiratory disease, substance abuse, diabetes, cancer,

as well as post-traumatic stress disorder.

So I wholeheartedly urge the passage of this resolution in the hope that we will not only recognize those who blazed the trail for us but that we will increase awareness of the need to continue the advancement of civil rights and liberties for all Americans.

I urge the VA specifically to recognize the unique struggle of many minority veterans and to, accordingly, ensure that they receive all of the benefits and care that they have earned and that they deserve. Passing this resolution is the least we can do for these veterans who have done so much for our country.

I urge the passage of this legislation.

GENERAL LEAVE

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

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 238.

The question was taken.

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

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

The yeas and nays were ordered.

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

HONORING THE LIFE OF SARAH MOORE GREENE ON HER 100TH BIRTHDAY

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

Mr. DUNCAN. Mr. Speaker, today is the 100th birthday of a great lady and Tennessee icon, Sarah Moore Greene.

Ms. Greene has been both a national leader and a leader in our hometown of Knoxville. By the way, she still attends many events, and is always dressed like a fashion model. She has served on the national board of directors for the NAACP, and has been a delegate to numerous Republican national conventions.

My father served as mayor of Knoxville for almost 6 years from early 1959 through the end of 1964. During that time, Knoxville received the All-American City award from Look magazine, primarily because it had the most peaceful integration of almost any major city. Sarah Moore Greene and my father led the effort to peacefully integrate our city.

Mrs. Greene has touched thousands of lives in good and positive ways through her years as a teacher and through her work in the community. She has helped countless numbers, young and old, but her special love is her children, both the hundreds she taught and the thousands who have attended the Sarah Moore Greene Elementary School.

Mr. Speaker, this Nation is a better place today because of my friend Sarah Moore Greene, a great American.

SORROW AND OUTRAGE AT THE DEATH OF CUBAN DISSIDENT ORLANDO ZAPATA TAMAYO

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

Mr. MCGOVERN. Mr. Speaker, I want to express my deepest sorrow and outrage at the death of Cuban dissident Orlando Zapata Tamayo. Imprisoned since 2003, he had been on a hunger strike for several weeks. He first heard he was seriously ill last week, and yesterday, he died at the prison clinic.

Zapata Tamayo paid the ultimate sacrifice for his commitment to changing Cuba's system. He commands our respect. No one has starved himself to death in a Cuban prison in over 40 years. Surely, the Cuban Government could have and should have intervened earlier to have prevented this tragedy. His death is on their conscience.

I have always felt and continue to believe that, if we are truly going to do a better job of standing with the Cuban people, then we need to be closer to them and in greater numbers. We need to travel freely to the island to meet and to learn from them and they from us. I hope that day comes soon so we can tell all of the Cuban people that we remember the sacrifice of Orlando Zapata Tamayo.

[From the Washington Post]

ACTIVISTS: CUBA DISSIDENT DIES AFTER HUNGER STRIKE

Havana—An opposition political activist imprisoned since 2003 died Tuesday after a lengthy hunger strike, members of Cuba's human rights community said.

Orlando Zapata Tamayo, who was jailed on charges including disrespecting authority, died at a clinic at Havana's Combinado del Este prison, according to Vladimiro Roca, a leading dissident who said he spoke to Zapata Tamayo's family.

Zapata Tamayo, 42, was not among the island's best-known dissidents. He was arrested in 2003 on charges of disrespecting authority, said Elizardo Sanchez, head of the Havana-based, independent Cuban Commission on Human Rights and National Reconciliation.

He was sentenced to three years in prison, which Sanchez said was lengthened to 25 years, in part because of his political activism while behind bars.

Sanchez said Zapata Tamayo staged a hunger strike for weeks before his death. His family first announced last week that prison doctors said he was gravely ill.

Relatives were transporting Zapata Tamayo's remains to his hometown in Holguin province, said Roca, a former fighter pilot and son of a legendary communist leader who served nearly five years in prison himself for his opposition political beliefs.

Word of Zapata Tamayo's death was first reported on Cuban exile radio stations in southern Florida, which broadcast an interview with his mother, Reina Luisa Tamayo.

Rep. Lincoln Diaz-Balart, a Republican from Florida—and the nephew of Fidel Castro's ex-wife, Mirta Diaz-Balart—said on the floor of the U.S. Congress on Tuesday that the dissident's ''condition and fate are the Castro brothers' doing.''

Hours later, as news of Zapata Tamayo's death spread, the congressman issued a second statement declaring that his ''murder by the tyrant Fidel Castro and his cowardly jailers will never be forgotten.''

U.S. Sen. Bill Nelson, of Florida, said in his own statement that ''freedom-loving people everywhere should hold the Cuban regime responsible for the fate of Orlando Zapata Tamayo.''

''His reported death today is a sad reminder of the tragic cost of oppression and a dictatorship that devalues human life,'' Nelson said.

Democratic U.S. Rep. Kendrick Meek, also of Florida, noted that Amnesty International declared Zapata Tamayo a ''prisoner of conscience'' in 2003.

''The Cuban government's stunning lack of respect for human rights was highlighted by Orlando as much in his life as in his death,'' Meek said in a statement.

EMPOWERMENT

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

Mr. NEUGEBAUER. Mr. Speaker, just last week, I was traveling across my district to ask the people in the 19th Congressional District, How do we move America away from this entitlement mode, which we seem to be moving toward, and back to an empowerment mode so we can create jobs?

With 9.2 percent of the American people unemployed, people want to know what we are going to do about jobs. What they do know is that the government can't continue what it has been doing, which is taxing too much, spending too much, and borrowing too much—mortgaging the future of our future generations.

I asked a number of businesspeople, Why aren't you hiring more people? Why aren't you expanding your plants?

The overriding answer was, Congressman, it's too uncertain right now. Congress is talking about raising our taxes, imposing insurance on us, talking about more regulation, raising the cost of energy in this country. If you continue down that road, we can't create new businesses. In fact, in many cases, we will have to lay off people if we move in that direction.

So, Mr. Speaker, what we have to do is quit doing what we have been doing and get back to making America the great Nation it is by empowering the people. That means taking less taxes and letting businesses do what they know how to do, which is to create jobs. Take away the uncertainty of the business environment in this country

today, which is causing many businesses across the country either to lay off or not to hire people.

Mr. Speaker, we need to empower America. We need to quit entitling America.

MEDICAL MALPRACTICE REFORM

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

Mr. MORAN of Kansas. Mr. Speaker, I am on the floor tonight to request that President Obama include in tomorrow's discussion at the health care summit the issue of medical malpractice reform and defensive medicine—the kind of reform that will relieve Kansan families and business owners from facing higher health insurance premiums. We have to reduce health care costs, and this is a commonsense way to do so. If we do not control those costs, then any reform effort will fail, as the cost of health care and, therefore, the cost of insurance will increase.

Defensive medicine, where doctors order every possible test under the sun for fear of being sued, costs us more than $650 billion each year, or 26 percent of our annual health care spending. These costs increase insurance premiums for doctors, and health care expenses simply get shifted to the patients.

Mr. President, if you are serious about improving patient care and about reducing costs, add medical malpractice reform to the agenda at your health care summit tomorrow.

□ 1630

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

CORRUPTION IN AFGHANISTAN THREATENS OUR TROOPS

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

Ms. WOOLSEY. Mr. Speaker, the United States is reaching a bleak milestone in Afghanistan. The death toll for our troops is now 996, or it was when this paper was written. It is inevitable that we will reach the 1,000 mark. How much further are we going to go in this?

Under these circumstances the American people have the right to demand that the Afghan Government do everything it can to stop violent extremism in their country and to keep our troops safe. So far the Afghan Government has not lived up to its responsibilities.

Our Ambassador in Afghanistan, Karl Eikenberry, wrote a cable to the State Department in November in which he said that President Karzai ''is not an adequate strategic partner'' and ''continues to shun responsibility for any sovereign burden, whether defense, governance, or development.'' He also wrote that when it comes to corruption, Karzai has a record of ''inaction and grudging compliance.''

This is outrageous, Mr. Speaker, because this government corruption undermines our very efforts in Afghanistan and puts our troops at risk.

When the Afghan people see the corruption in their government, they ask, and they should ask, Why should we help the Americans defeat the Taliban when our government isn't any better than the Taliban?

The Washington Post just recently, well, yesterday, I think, revealed a deplorable example of the Afghan Government's shady dealings. It was Monday that the article came out. It was written by Andrew Higgins and entitled ''Kabul Bank's Sherkhan Farnood Feeds Crony Capitalism in Afghanistan.'' The article described the cozy relationship between the Afghan political elite and the Kabul Bank. The Afghan Government has poured tens of millions of dollars of public money into that bank. At the same time, the bank has made shady multimillion dollar loans to members of President Karzai's family, his government, and his supporters to buy luxury villas in Dubai. The article calls this ''a crony capitalism that enriches politically connected insiders and dismays the Afghan people.''

President Karzai's older brother and his former Vice President both have Dubai villas, but they're registered under the name of Sherkhan Farnood, the chairman of the bank. Presumably this is done to hide the goodies that the political big shots have gotten. The bank has plenty of money, including more than $1 billion in deposits from Afghans. But ''the vast majority of this money flows into the hands of a tiny minority, some of it through kickbacks and insider deals''—that's from the article—for the country's political, security, and business elites.

The bank also helped pay for President Karzai's recent reelection campaign, which was filled with charges of fraud. The bank's support for Karzai wasn't surprising. Why should it be? The bank is partly owned by Karzai's older brother and the brother of his vice presidential running mate.

And at a time when most Afghans are desperately poor, the Kabul Bank is spending $30 million to build a fancy new headquarters.

Mr. Speaker, the American people have a right to ask, Is this what our soldiers are dying for? Is this what we're spending tens of billions of our tax dollars for? So that well-connected elites in Afghanistan can enjoy luxury villas in Dubai?

We cannot allow this to continue. I have been demanding that we change our mission in Afghanistan to focus on SMART Security for a long time now. One of the cornerstones of SMART Security is an emphasis on better governance. Improving governance in Afghanistan is just as important, Mr. Speaker, as any military operation. Actually, it's more important.

That's why President Obama must insist that President Karzai and his cronies clean up their act and do it quickly. Without honest government, we will never defeat violent extremism in Afghanistan and the death toll for our troops will not stop.

RECOGNIZING KANSAS STATE UNIVERSITY'S PROUD CAMPAIGN

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

Mr. MORAN of Kansas. Mr. Speaker, I rise this evening to recognize Kansas State University's Proud campaign. K-State Proud was founded in the fall of 2006 as an effort for students to help other students. This year's event will be celebrated this Saturday, February 27, during the Missouri-Kansas State men's basketball game. This is a great concept that reflects our Kansas values of family, community, and stewardship.

There are many people who take college experience for granted. Leaving home to pursue an education is not a given for many families. Certain amounts of financial, emotional, and spiritual support are needed to ensure a student's success. Sometimes bad things happen and students' families fall on hard times. And it's heartbreaking to see a student's dreams and hard work jeopardized by events beyond their control.

The K-State Proud campaign was started in an effort to keep these struggling students in school. It was started by students, for students. Students continue to organize, plan, and execute K-State Proud's activities. This year's co-chairs are Anna Zeiger, Reed Pankratz, and Robert Swift. That is what makes this effort so unique. There are no benefactors or trust funds paying an annuity that funds the tuition or living expenses for a struggling student. This program allows these kids to collect money from their peers and to distribute to those most in need. As a society, we should take a step back and look at what K-State Proud has accomplished. They have had a genuine compassion for complete strangers. They do more than pay lip service to the concept of charity. They put their money where their mouth is.

For a $10 donation, the donor receives a K-State Proud t-shirt to be worn for the designated K-State basketball game. Special thanks should be

given to GTM for donating the t-shirts and Cox Communications for their generous support. A quarter of a million dollars raised by K-State Proud over the course of 3-plus years emphasizes the enormous impact this campaign has had on K-State's student body. The results are real and undeniable.

K-State Proud allowed a student whose hometown of Greensburg, Kansas, which was destroyed by a tornado, to stay in school despite the enormous loss of life and property. K-State Proud provided support to a cancer survivor that would otherwise have had a difficult time completing a college degree. K-State Proud provides these financial awards while also providing the recipients with an emotional boost to overcome their struggles. Money is a necessity, but knowing that someone recognizes your pain and is there to support you is very powerful as well. This sense of community, that we're all in this together, has made K-State Proud a huge success. Some people worry about the future of our country. When I see the K-State Proud movement at work, I realize that there is a new crop of compassionate, principled leaders preparing themselves to better our State and our Nation.

K-State Proud has become a model for other universities searching for a way to unite their student bodies and communities. People familiar with K-State know how special this university is. It is only fitting that the rest of this country learns how special it is as well. I urge you to tune in to the basketball game this Saturday and witness this student body's commitment to each other.

I have used the word ''proud'' many times in these remarks. I'm the proud father of two current K-State students. I'm proud to be associated with such great ambassadors for our State. And I'm proud to be a Kansan. In this case I'm proud to be a K-State Kansan.

WOMEN FARMERS BILL

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

Ms. DELAURO. Mr. Speaker, I rise in support of the Equality for Women Farmers Act, a bill Congresswoman ANNA ESHOO of California and I have introduced. It aims to close an ugly chapter in our history and end a systematic legacy of discrimination at the Department of Agriculture.

Our bill provides a process for women farmers who have experienced discrimination to make claims against a compensation fund appropriated by the Congress. It requires USDA to institute the much-needed reforms that will end this shameful gender discrimination in their loan system forever.

According to the U.S. Department of Agriculture, there are approximately 300,000 women farm operators across the United States, which is over 17 percent of the family farmer population. This is by far the largest group of minority farmers in the country, and their numbers are growing. And yet new census data recently revealed that women farmers have been consistently underreported by USDA over the past 15 years. Worse, it is estimated 43,000 women farmers have been discriminatorily denied more than $4.6 billion in farm loans and loan services from the USDA over the years. In fact, by USDA's own reckoning, women have seen less than their fair share of loans in every single State in the country.

Like male farmers, tens of thousands of women have gone to local offices of the Farm Security Administration over the years to file loan applications and ask for this government's help in sustaining their family farms. But there the differences often end. Many women have been told that money or applications had run out even though men seem to be finding them with no trouble at all. Others were told to return to the loan office with their fathers or husbands or brothers so that the men could file the applications on their behalf. Still others were told that ''farming is not for women'' or saw their applications filed in the trash right before their eyes. Some were even subjected to crude and horrible advances by loan administrators who demanded a sexual quid pro quo in return for approving their loans. This is simply not right. It is beneath us and it must end.

To his credit, Secretary Vilsack has initiated a task force to look into these and similar civil rights issues at USDA, but we also need to move here in the Congress and quickly, if nothing else so that these women can get the resources that they now need to preserve their family farms in this troubling economy.

Unfortunately, this subject of discrimination by USDA loan and credit officers is not a new one. In fact, only 2 years ago Congress was so moved by the lengthy history of discrimination and long-pending lawsuits brought by minority and socially disadvantaged farmers that we addressed the situation in the 2008 farm bill. That provision urged the Bush administration to settle those discrimination lawsuits brought by women and other minority farmers.

Just last week the Obama administration announced that it had reached an agreement to settle the remaining claims for African-American farmers who experienced similar discrimination. While I applaud the administration for recognizing the need to settle these important claims, I am dismayed that they did not come forth with a more comprehensive proposal to settle claims for women, Hispanic, and Native American farmers who have suffered similar prejudice.

It's time for us to own up to the mistreatment of women and other minority farmers as well. They have had to deal with needless, mindless discrimination as they have tried to preserve their family farms. This Congress should grant them the compensation and the damages they are due.

What would the bill do? It establishes a compensation fund of $4.6 billion for these farmers. It sets up a Special Master in the Federal Mediation and Conciliation Service to process, review, and adjudicate their claims. The Special Master will award eligible claimants who were denied loan applications or whose applications were not acted upon $5,000 in damages.

For eligible claimants who were denied farm loans, loan benefits, or loan servicing, whose damages are presumably greater than those denied applications, the Special Master may also award additional damages based upon the application of a formula described in the legislation.

□ 1645

For those who will seek to apply for loans and loan management in the future, the legislation will ensure that their requests are finally considered equally with all others. This is a matter of fundamental fairness. And action cannot come soon enough for these women who have suffered under these discriminatory practices. So please join me in being part of this solution. We can help make whole these women who have suffered so much, and we can make USDA a better resource for our nation's family farmers for generations to come, regardless of their gender, race or origin.

From our earliest days, the small family farm has been considered the bedrock of this nation, the font of its virtue and its citizenship. ''Those who labor in the earth are the chosen people of God,'' wrote Thomas Jefferson, ''if ever He had a chosen people.'' Our Founding Fathers strongly believed our government should be there to help America's family farmers, not to undermine them at every turn.

As such, it is time to do right by all of these family farmers that have been discriminated against in our past and present. And I invite my colleagues to join with us to reach a solution to settle these discriminatory claims. It is time to live up to our founding principles, to do right by our family farmers no matter what their race or sex, and to legislate an end to this unfortunate and regrettable era.

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

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

THE ABSURDITY OF STIMULUS PROJECTS

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

Mr. POE of Texas. We keep hearing about how great the trillion-dollar stimulus bill was and how well it has worked. It has been 1 year or so, so lest we forget, let's see where some of that stimulus money got spent.

In Buffalo, New York, the State university got about $400,000 to study the effects of drinking malt liquor while smoking pot. For 3 weeks, 100 people are paid $45 a day of taxpayer money to drink malt liquor and smoke a little marijuana—this party stupor paid for by Americans throughout the country.

Taxpayers are footing the bill for other parties, like the one in Boca Raton, Florida. But this one is not for people, this one is for lab mice. That is right, Atlantic University is getting about $15,000 for two summer researchers to measure how alcohol affects a mouse's motor functions. I wonder where the PETA people are on this one. Now, do these drunk lab mice count as jobs saved or jobs created? We don't know.

We are not through. In Nebraska, we are funding another wasteful bridge project. First we had the Cornhusker Kickback, and now Americans are sending $7 million to Thelford, Nebraska, to build a bridge. That doesn't sound so bad, but this $7 million bridge is so 168 people don't have to wait so long to cross a railroad track. Sounds like we are wasting money. By the way, that is $43,000 per person waiting for that train.

And the U.S. Forest Service is getting $2.8 million in stimulus money to spend on wildfire management in Washington, D.C. But the problem is Washington, D.C. doesn't have a national forest. But that doesn't make any difference to the bureaucrats. In Washington, you don't need a forest to get wildfire management funds; you just need out-of-control spending.

The Florida Department of Transportation, and this is my favorite one of all, is spending $3.4 million in stimulus funds to build a turtle tunnel in Tallahassee. A turtle tunnel in Tallahassee, Florida; $3.4 million. That is about four times as much money as the average working American will earn in their entire life. But the stimulus slush fund is doling out $3.4 million for the turtle tunnel for turtles to cross the highway. Before we had a stimulus bill, Mr. Speaker, how did the turtle cross the road? For that money we could get the turtles limos to cross that street.

The Picher Housing Authority in Oklahoma, here is another one, received $135,000 in stimulus money to remodel homes and businesses at the Tar Creek Superfund site. The most obvious problem with that scenario is the Tar Creek Superfund site is scheduled to be destroyed. It is going to be remodeled and then destroyed. Only the Federal Government would spend taxpayer money to fix up a home and then a few years later pay to tear it down.

Mr. Speaker, this whole philosophy of the stimulus project and fiasco is a flawed premise. It is the idea that we can take taxpayer money and give it to the government, and then the government can decide how special folks, special projects will get that money and spend that money for government make-work programs. See, these aren't real jobs; these are jobs that the taxpayers have to pay for, jobs that aren't permanent, that will eventually go away.

Real jobs are not created by Uncle Sam. Real jobs are created by the private sector. We call those people small business communities. And they can make real jobs where other taxpayers don't have to pay for those jobs. And that is when more businesses have more of their own money, rather than paying taxes to the Federal Government so the government can decide which special friends throughout the government to get this stimulus money.

Mr. Speaker, the American people are fed up with this insanity. They are telling Washington stop the spending. They are saying no, stop the spending. Stop the wasteful projects. Stop the fraud, stop the abuse. Stop borrowing money. We don't have the money for all these projects, so we borrow it. And of course we borrow it from our friends, the Chinese. Sixty percent of our debt is owned by the Chinese. And of course someday there is going to be a day of reckoning. We are going to have to pay back that money. And that will be paid back in the form of taxes or it will be paid back by people yet to be born.

The White House seems to want to spend the people into the poor house, mortgage off their homes, the mineral rights, and then pay for this massive spending bill.

And that's just the way it is.

PROBLEMS WITH THE REPUBLICAN HEALTH CARE PLAN

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

Mr. McDERMOTT. Mr. Speaker, after more than 70 years of false starts on fixing health care, the Congress is on the brink of passing sensible, comprehensive reform legislation. We are extremely close to giving all Americans access to quality, affordable health care, while reducing the deficit. After a year of trying to instill fear in the American public about the Democratic approach to fixing our broken health care system, my Republican colleagues have really entered the debate. I commend my colleague from Wisconsin for putting forward the Republican plan.

The sweeping Republican bill lets the public know where their party truly stands. Their bill would radically reorganize both the health care system and the Social Security system. Once again, they want to spend more time hating government than helping people.

The Republicans want to give the seniors a voucher. A voucher government. If you qualify, you get a little check and then you are on your own to deal with the insurance companies and Wall Street. The Republicans wish the American people the best of luck. If you aren't lucky enough to outsmart Wall Street and the insurance executives with the rules stacked against you, well, that's too bad.

Under the Republican plan, you will likely end up sick and poor, but they think you will love the free market choices you have had on the way down. Sadly, the Republican plan is filled with the same old policies to dismantle Medicare and Social Security that they have been putting forward for decades.

To understand the clear difference between the different approaches, let's look at health care. Health care is big, and a complex part of our economy, and it needs thoughtful and commonsense approaches. Instead, the Republicans have put forward a plan that would put more Americans at risk, drive millions into bankruptcy, lock in the skyrocketing costs, and enrich the insurance companies. In the Republican plan, insurance companies could get richer while Americans get poorer and sicker.

The Republican approach to health care has two parts. First, the Republicans would give American seniors a voucher for health care and do nothing to keep the insurance companies from taking them to the cleaners. The Republican plan would essentially do away with the Medicare program as we know it today, which many seniors rely on.

The hypocrisy of the Republican plan is maddening. Their say one thing and do another approach is really reprehensible. The Republicans not only want to dismantle Medicare, but at the same time they denounce the Democratic plans to stop wasteful spending in the program.

The second part of the Republican plan puts health savings accounts at the center of the program. Health savings accounts have existed for years. These accounts are small, and history shows that many Americans underfund them or can't use them. When illness strikes, any significant co-payment or deductible can wipe out a family's savings in a minute.

Finally, the Republican plan does more to take our health care system down the road to ruin. It goes another step and privatizes Social Security. After the Wall Street meltdown, the crazy lesson the Republicans learned was to trust Wall Street with the future of our seniors.

This week we learned that by 2019, national health care spending will be over 19 percent of our economy. That is $4.5 trillion. If we don't act to control those costs now, people will no longer be able to afford the essentials like housing and food. When the public has to deal with the market to satisfy basic needs, the government has to

make sure the system is fair and that all Americans have access. When it comes to health care and retirement, we have to have commonsense rules.

We must finish the job on health care, and we are going to do it beginning tomorrow at the White House. The Republicans have shown the public their plan, and it is not the solution. They are a rehash of old theories that make things much worse. Instead, we have to pass the commonsense health reform that is on the table and protect Social Security from crazy theories.

AND NOW IT'S ASSASSINATIONS?

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

Mr. PAUL. Thank you, Mr. Speaker.

What have we allowed ourselves to become? Are we no longer a Nation of laws? Have we become instead a Nation of men who make secret arrests? Are secret prisons now simply another tool of Federal Government law enforcement? Is secret rendition of individuals now permitted, out of misplaced fear? Have we decided that the writ of habeas corpus is not worth defending? Is torture now an acceptable tool for making us safe? Unfortunately, the single answer to all of these questions from the leaders of our country and to many of our citizens appears to be ''yes''.

And now we are told that assassination of foreigners as well as American citizens is legitimate and necessary to provide security for our people. It is my firm opinion that nothing could be further from the truth. Secret arrests, secret renditions, torture, and assassinations are illegal under both domestic and international law. These activities should be anathema to the citizens of a constitutional Republic.

The real threat doesn't arise from our failure to torture. Rather, desensitizing our Nation to the willful neglect and sacrifice of our civil liberties, fought and died for over the centuries, is the threat.

The concept of habeas corpus existed even before King John of England was forced in 1215 by his rebellious barons to sign the Magna Carta. This basic principle and expression of individual liberty, which has survived 800 years, greatly influenced the writing of our Constitution and our common law heritage.

Today we hardly hear a whimper, either from the American people or a stone silent U.S. Government as our cherished liberties are eradicated. Instead, we have a government that deliberately orchestrates needless fear and makes people insecure enough to ignore the reality of their lost liberties.

The latest outrage is the current administration's acknowledgment that we now have a policy that permits assassination not only of foreign suspects, but of American citizens as well. Of course the CIA has used secret assassinations in a limited fashion for decades, despite international, domestic, and moral law. When done secretly, as in the past, our government at least recognized that assassination was illegal and wrong. Frighteningly and astonishingly, however, the policy is now explicit.

National Intelligence Director Dennis Blair, in open testimony before the House Intelligence Committee on February 3 of this year, acknowledged that American citizens can indeed be assassinated at our government's discretion. The U.S. Government attempted to assassinate Anwar al-Awlaki in Yemen without even charging him with a crime. We are told this evidence is secret, that he does not deserve any constitutional rights, and that some unknown individual in the administration has the authority to declare him a threat, and therefore a legitimate target for assassination.

Yes, I know, he is probably a very bad person. Yes, I know that only a few Americans are on the assassination hit list.

□ 1700

Yes, I know that artificially generated fear makes a large number of Americans inclined to applaud this effort which supposedly will make us safe. But if this becomes standard operating procedure and a permanent precedent is established, let me assure you that this abuse of the law will spread.

It's time for Congress and the American people to wake up to the realities of the dangers we face. We must remember, as Members of Congress, that we have taken an oath to protect and defend the Constitution from all enemies, foreign and domestic. It should not be that difficult to distinguish the difference between the danger posed by the underwear bomber and the danger posed by a government that endorses secret prisons, torture, and assassinating American citizens.

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

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

HEALTH CARE SUMMIT

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

Mr. GARAMENDI. Tomorrow is an extremely important day here in Washington, D.C., and across the Nation. Tomorrow's a day in which the President will hold a summit on health care. The outcome of that meeting is of extraordinary importance to individuals, to families, and to millions upon millions of Americans, indeed, the entire Nation. A successful outcome would be one in which we have bipartisan consensus on the critical issues of health care, on how we're going to provide coverage for all Americans, how we deal with the pernicious and all too common insurance company practice of terminating policies when a person becomes ill or denying coverage because of some preexisting condition.

Tomorrow's summit is extraordinarily important in that the outcome of that summit may very well give us insight into how we control the extraordinary increase of cost in health care, a cost that is not sustainable either for individuals or for this economy. We're currently spending somewhere in the range of 17 percent of our current GDP on health care. Compared to the rest of the industrialized nations, that's nearly 60 to 70 percent more than they spend of their wealth. Most every other industrialized nation spends 10 percent or less. We're giving away an extraordinary advantage to our competitors.

Now, if our health care system actually produced extraordinary outcomes for all the population, we might say it was worth it, but the fact of the matter is that our health care system does not. Our population statistics, which are the statistics on how well we are, how long we live, how well our children thrive, how many of them die at birth and in early childhood, all of those statistics would indicate that this Nation's health care system is very, very poor. In fact, we rank below Colombia and other emerging nations around the world.

So what are we going to do?

This House passed a very important piece of legislation that goes to address many of these issues—the issue of how we contain our costs, how we improve our system, how we provide for wellness rather than just sick care—a very complex bill, but one that also provided a very, very important element, the element of a public option.

I'm from California, and 2 weeks ago the largest insurance company providing policies, more than 80 percent of the single-person policies, said, well, I think we're going to increase our rates by up to 39 percent, and that was on top of a similar rate increase in the previous year; some 60 percent increase for those individuals that are not in a group that have to go out and buy insurance on their own, a totally unaffordable situation. And they also announced that in the intervening year, or the year after these increases went into effect, they would willy-nilly, and at their own will and their own desire, increase the cost of those policies, an extraordinary and new event.

Those individuals, in fact, every individual in America needs a public option, a place to go to get a competitive health insurance policy that provides real benefits at an affordable cost. This House passed such a public option.

Hopefully, at tomorrow's summit, that issue will be renewed. But the papers in this town say that that issue is dead. I think not, because in America we do have public options today—they're not readily available to all of us unless you happen to be 65—and that public option is Medicare. If you happen to be a Federal employee, like I and others in this room, you have a public option available to you. If you're in the military, you have a public option available to you, a military family.

Public options are widely available in America. We need to provide that option for every American. We need real competition. We need WellPoint Blue Cross of California to have a competitor. They have none today.

Fortunately, this House, today, took a step to end the monopoly, to end the antitrust exemption that the health insurance companies have. It will help, but it will not provide the solution that we need. We need that public option. We need the health care reform that this House passed. And hopefully tomorrow, at the President's summit, the outcome will say, follow the lead of the House; give us a public option, give us the controls on prices, give us the steps toward staying healthy, and let's finally put this Nation into a universally available health care system.

GREATER FLEXIBILITY FOR FLORIDA FISHERMEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, this week I met with commercial and recreational fishermen from my Congressional district of the Florida Keys. These hardworking men and women have taken time out of their busy season to travel up here to Washington, D.C., to protest the latest round of onerous and unfair Federal fishing regulations and closures.

Florida's recreational fishing industry is the largest in the Nation. It's economic impact to our State exceeds $5.3 billion, and more than 54,000 jobs are generated by this industry. Similarly, Florida's commercial fishing industry is nearly 13,000 strong and contributes a staggering $1.2 billion to our economy.

Our fishermen understand that maintaining a robust, healthy fishery through appropriate regulation is the key to their economic success. However, the recent fishing bans on red snapper and shallow water grouper enacted by the South Atlantic Fisheries Council are devastating to our Florida fishing industry. The bans not only threaten the jobs of recreational and commercial fishermen, but also the small business owners that support and economically benefit from these industries.

Local restaurants will look to carry more cost-affordable fish from countries such as Mexico and the Dominican Republic, as opposed to featuring fresh, Florida-caught fish, crab, and lobster. Hotels, dive shops, and other tourist attractions will also continue to suffer as fishing enthusiasts decide to travel elsewhere.

The impact of this multibillion dollar industry on the State of Florida cannot be overstated. And yet, one by one, these fishermen are being regulated out of business.

I'm a cosponsor of a bill known as the Transparency in Job Loss from Fishery Closures Act, and this is a bill introduced by my colleague, Congressman HENRY BROWN. This bipartisan bill instructs NOAA to reverse the harmful fishing closures and calls for stricter policies before implementing further closings.

In particular, this bill requires that NOAA conduct a comprehensive review of recent fishery closures and provides sufficient updated research showing that a closure is the only option to maintain the fishery. In this review, NOAA must consider the impact of each closure on the coastal communities being regulated, including the impact on their small businesses and the losses of the jobs that would entail these closures.

I also support efforts to increase fisheries research to improve enforcement systems and to reform the flawed Magnuson-Stevens Fishery Act.

I'm a cosponsor of a bill introduced by Congressman FRANK PALLONE, which would amend Magnuson to provide greater flexibility to State regulators and fishery managers.

The process of collecting data utilized by Federal regulators in determining fishing closures also needs to be revisited.

The Scientific and Statistics Committees need to conduct their business in an open, transparent forum that also considers input from the fishing industry. What a concept. Opening up this committee to stakeholders' feedback and congressional oversight will go a long way in repairing the trust between regulators and local fishermen.

In this stagnant economy, Mr. Speaker, it is imperative that we do all that we can to protect a historic and much needed industry from economic disaster. Our Nation's fishermen deserve and require our immediate action.

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

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

IN MEMORY OF THE HONORABLE JOHN MURTHA

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

Mr. YOUNG of Florida. Mr. Speaker, I rise this evening to speak to the memory of one of my close friends, one of my colleagues, my partner, and a man with whom I have spent so many hours, so many days and for so many years as we've worked together on the National Defense Appropriations bill, and I'm speaking of the late Chairman Jack Murtha.

In keeping with his legislative management style, I'll be brief because, as we presented our Defense Appropriations bills, the last meeting that we would have somewhere in the Chamber here would be, Hey, look, this is a good bill. It's not controversial. Let's pass it quick. We ought to be able to get it done in 8 or 10 minutes, which we normally did.

Jack was a good leader, a good chairman. When we had discussions on the hundreds and hundreds of issues in that bill, his concern always was what is best to keep America safe, what is best to keep Americans safe, and what is best to give our soldiers the tools that they need, the technology that they need to do their job, to carry out their mission, and to protect themselves while they're doing that.

I expressed my condolences and my sadness to his wife, Joyce, and their children. I know of the sadness that they experienced here a couple of weeks ago as Jack left the Congress, left the family, and left this life. I really was saddened and regretted and felt extremely bad that I was not able to attend his funeral, but Beverly and I had a tragic event of our own during that same period.

But I wanted to mention that Beverly, my wife, knew Jack Murtha very well because we would oftentimes be at the same military hospital with him visiting troops, wounded troops and their families. And I remember the first day that my wife ever ran into Jack Murtha at Walter Reed Hospital, and she had been talking with the wife of a soldier who had serious physical problems, but the family had financial problems.

□ 1715

She said, Hey, Mr. Murtha, give me your wallet. And Jack Murtha took out his wallet and handed it to her, and she took out all of the money and handed it to the soldier's wife and then gave Jack back his empty wallet. And so she also had a special relationship.

But we were not able to attend Jack's funeral. During that same period of time, my son Billy and his wife, Ashley, had become pregnant some time ago, and everybody was excited about that. And then one day, they picked us up at the airport coming back from Washington, and we had lunch together. And they announced that they had just been to the doctor, and we were going to have twin granddaughters. You talk about being excited and cheers and tears. But that was not to be. Twenty weeks into the pregnancy, something happened.

Things went wrong. The two little girls, Taylor Ann and Riley Grace, were born alive and lived only a couple of hours until their little hearts quit beating.

And so we were going through that same grief at about the same time that Joyce and her family were going through the grief of losing Jack Murtha.

I lost a friend. Congress lost a powerful legislator. He didn't speak on the floor very often. He was never boisterous. You never saw him—well, seldom—shouting and waving his arms, but he knew what was going on. And he affected what was happening in the legislation.

Some of our colleagues used to joke that he would sit back in this corner while I sat back in that corner so that between the two of us, we could watch everything that was happening in the House Chamber at any given time. Well, there might have been something to that, but it was a good relationship.

So I, again, I express my condolences. My own sadness of losing this friend, of losing this great American. And Mr. Speaker, I think Jack has left an emptiness that probably will not be filled for a long time, if ever. And I think those on the House floor, as we proceed with appropriations bills in the future, will recognize that without Jack Murtha here, things are a lot different.

So God bless the family.

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

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

REMEMBERING REPRESENTATIVE JACK P. MURTHA

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

Mr. KINGSTON. Mr. Speaker, I rise as a friend and mourn and share the loss not just to the Murtha family, the State of Pennsylvania, but to the entire Nation, and certainly every man and woman wearing a uniform.

I was proud to know Jack Murtha, proud to serve in the U.S. Congress with Jack Murtha. He was a bipartisan guy. He was a knowledgeable guy. He was a hardworking guy.

The military budget in appropriations is over $500 billion. It is a very thick bill. You have to know airplanes from submarines, from tanks to battleships. Jack Murtha knew that, and he would study it very deeply.

Jack Murtha, though, beyond being a professional Congressman, taught this Chamber many things.

For one thing, I learned as a guy who came up through some partisan battles and some nonpartisan battles that the Murtha-McDade relationship almost cast a certain circle around the State of Pennsylvania that made it a special place, that the Pennsylvania delegation had something that the other States did not have, and that was two great leaders—Republican and Democrat—who kind of set the tone not just for the entire State but for the rest of us to see how things could be. And indeed, the Pennsylvania delegation has still had great fellowship because of that legacy.

It was also reflected in his relationship with BILL YOUNG. I can't tell you what a joy it has been for all Members of Congress who come and often see the battles that are so epitomized on the talk shows and the name calling and so forth, and you think that is Congress. And then you go into a committee room and you see BILL YOUNG and Jack Murtha working together, not always agreeing but always affectionate and always having great respect for what the other one had to say.

And indeed, I can tell you as somebody who served here 18 years, sometimes you couldn't tell who was chairman. They were that close and that united and that focused on what was best for the troops. What a great relationship. And again, what a great example for the rest of us.

Jack Murtha was an old-school guy. He liked to have his bill done in a hurry. In fact, the chairman, Mr. OBEY is there, and he knows while it was one of the largest bills, it was also one of the fastest bills to be passed so many times. He knew exactly where he wanted to go long before the hearing started.

I remember I had an amendment that had to do with electronic verification of social security numbers for people working on Federal contracts. The chairman didn't like it. And I remember Mr. Murtha—I submitted it, I worked the committee, the subcommittee very carefully, and he said, ''Kingston, we're not going to do that.'' That was it. That was my hearing. And when he said that, you knew that was it. The curtain was closed. The case was over.

And this same chairman could turn around and say to you, you've got a problem in Hinesville, Georgia, little old Hinesville, Georgia, a speck on the map, that because it's the home of Fort Stewart, the 3rd Infantry was expecting two more brigades, went out and built a lot of roads and schools and infrastructure in preparation for another brigade.

And then the Pentagon made a turn and decided not to send it to them. And who stood up for Hinesville, Georgia? Jack Murtha. Who did I go to and say, Look, if we're going to make this happen, we've got to do something to help these people because the Pentagon has done them wrong. They stood tall for the military but now the military has let them down. We're not going to let that happen. And Jack Murtha pulled through. Not just on that issue but time and time again.

Jack Murtha loved the United States of America. Jack Murtha loved the military. Jack Murtha loved the soldiers. He stood up not just for them, but for their families over and over again.

Congress has lost a great leader, as has the State and the United States of America. But the American soldiers have lost a true friend and a passionate guy who would do anything for the man and woman in uniform.

I say God bless Jack Murtha and his memory and everything he has done for the United States of America.

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

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

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

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

HONORING REPRESENTATIVE JOHN P. MURTHA

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

Mr. FRELINGHUYSEN. Mr. Speaker, I echo the sentiments of my colleagues here today and want to add my voice in tribute to Jack Murtha—our colleague, my chairman, and my friend.

For nearly his entire adult life, Jack Murtha selflessly served his beloved Nation—first in uniform as a decorated combat marine and later as an elected representative from my neighboring State of Pennsylvania.

We all know by now that he was the first Vietnam War combat veteran elected to Congress. And while many of us followed him to Congress, he rose to become chairman of the House Appropriations Committee's Subcommittee on Defense. I've had the honor of serving with him on the subcommittee for over 10 years.

In our dealings over the years, Jack and I did not always agree on policy decisions. But I always respected his undeniable dedication and his refreshing candor.

And there is no doubt that he cared most deeply about the men and women of America's military and their families. He understood their challenges and their anxieties. And what he did not understand, he actively sought to learn in trips to Defense Department facilities, forward operating bases, and military medical centers across the world.

He served our men and women in uniform diligently and daily in countless

ways. He worked each week to improve their quality of life.

Mr. Speaker, Jack Murtha loved Congress. He loved Pennsylvania, he loved his constituents, he loved the military, and he loved all of these things with a passion that exceeded the most ardent enthusiast.

But fundamentally, Jack Martha was a Marine—with all of the distinguishing attributes and characteristics that brings. As a former member of the United States Army, I recall the statement of one Army general, ''There are only two kinds of people who understand Marines: Marines and the enemy. Everyone else has a secondhand opinion.''

My secondhand opinion is that I am honored to have served with Jack Murtha. I will never forget his enduring friendship. May the tributes and prayers of so many of our colleagues this afternoon here today be a source of strength to his wife, Joyce, and to his family.

Semper Fi, Jack Murtha.

IN TRIBUTE TO REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. KANJORSKI. Mr. Speaker and colleagues, I rise today to honor our friend and one of the outstanding Members of this House, Jack Murtha, who represented Pennsylvania's 12th district, and to remember his devotion to his work in this Congress, his strength of character, and his hard-fought efforts for his district in Pennsylvania and our country.

Additionally, I feel privileged to have called Jack my friend, and I know that many other Members in this Chamber feel the same way.

As first votes were called this week and Members gathered on the House floor, it was very apparent to most of us that someone was missing. I walked in on Monday almost expecting to see Jack seated in the far chair in the Pennsylvania corner as I had seen since I had first joined Congress 25 years ago.

While Jack is no longer with us, his spirit will live in this Chamber and in the Halls of Congress. For now, the chair will remain empty, as he could never be replaced.

Jack left us too soon. But his legacy will surely live as a symbol of the great work that one man can do and is something that we can all strive to achieve. He will be sorely missed by all of his fellow colleagues, his friends, and definitely, the Pennsylvania delegation.

Mr. Chairman, I'd like to yield to the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. I thank my friend from Pennsylvania for yielding.

Mr. Speaker, today we pay tribute to our departed friend and colleague, Jack Murtha. Over 17 years ago, I heard Jack say that his great-grandmother told him he was put on this Earth to make a difference—and boy did he make a difference.

He loved his country and served it with distinction at many levels. He served in the United States Marine Corps stateside during the Korean War. When the Vietnam War broke out, he volunteered to go back and served in Vietnam and received two Purple Hearts.

He was the first Vietnam veteran elected to the United States Congress. He was the longest-serving Member in the history of the Congress from Pennsylvania to serve in the House of Representatives, and as Mr. YOUNG mentioned during his remarks, he never forgot the men and women in uniform and made sure that they had the tools to do the job that they do so well. And our returning veterans as well, he was always at the forefront of making sure they had the proper care and treatment and visited them so many times at our military hospitals.

But he also cared so much about all of us. Everybody in this body has an example where Jack helped them. And he helped me so many times over the years, but there is just one that I want to share with everyone today.

After the redistricting of 2000 and after the 2002 election, I found myself serving in a district that was 60 percent new to me, and I inherited one of the best medical facilities in the Commonwealth of Pennsylvania—and actually in the entire country—the Penn State Milton Hershey Medical Center. And after meeting with the leaders at the Penn State Milton facility and seeing the quality of care that they provide, he said, There's one thing that we're missing. We're missing a cancer research and treatment institute.

□ 1730

People that we serve, when they are diagnosed, all too often have to go to Philadelphia or Pittsburgh or Baltimore for care. We need to have a facility for literally millions of central Pennsylvanians, and we, Penn State, are willing to put up more than our fair share or more than the majority of the cost, but we are about $35 million short of getting there.

I went to see Jack. I brought him to Hershey. He looked around at the quality of care that was provided, made an agreement and said, it won't happen in 1 year or 2 years, but it will happen. We, the Federal Government, will be a partner and the people of central Pennsylvania no longer will have to travel to Philadelphia or Pittsburgh or Baltimore.

I am proud to say today that as a result of Jack's efforts and his desire to help me, we have the best quality cancer care in central Pennsylvania. All of us could cite incidents like that where Jack cared about Members and did things to affect the quality of life for their constituents.

Our thoughts and prayers continue to go to Joyce and Donna and Patrick and John and so many of Jack's former staffers and current staffers that are with us today.

Jack, we miss you dearly.

Mr. KANJORSKI. Mr. Speaker, I would like to introduce Mr. MIKE DOYLE. Before he speaks a word, he was commissioned as the jokester of the Pennsylvania Corner purposely to keep Jack in his good spirits during his presence there.

Mr. DOYLE. Thank you, Mr. Chairman.

I rise to honor the memory of my mentor and my dear friend, Congressman Jack Murtha. This is a tough day for all of us in the Pennsylvania delegation. Our State has lost its 800-pound gorilla and our dear, dear friend.

Jack Murtha personified the people of western Pennsylvania, tough, hard-working, salt of the Earth. He loved his family. They always came first, his beautiful wife, Joyce, to whom he was married for over 50 years, his three children, his grandchildren. Family always came first to Jack Murtha.

He loved his country, and he most especially loved the men and women who wore the uniform of the United States of America. He was their champion. There wasn't any Member in this body who fought harder for those troops than Jack Murtha did.

He loved this institution too. I remember he especially was helpful to new Members. When I got elected in 1994, Jack took me under his wing and one day he sat me right back there in the Pennsylvania Corner, right next to his chair, and he said, I am going to give you two pieces of advice. He says, number one, sit here on the floor and learn the rules and the procedure, because if you master the rules and the procedure of the House, someday you're going to get a chance to offer a bill, and the people that understand the rules will always win.

He said, secondly, find out what you are passionate about and be the best person you can be in that field. Be the person that other people come to and ask for advice on that issue.

I never forgot that advice. Sixteen years later, every day, we still come over to that corner, and those of us who were smart enough would come over there to seek Jack's counsel. He didn't just do it for the members of the Pennsylvania delegation, he did it for anyone who was smart enough to come back there and introduce themselves to Jack and seek his counsel. It didn't matter what their party affiliation was either.

Much has been said about Jack's ability to work across the aisle. He truly did. When he chaired the Defense appropriations committee, it didn't matter to him what your party was. What mattered to him is that you had something that was going to be good for the troops and good for the country, and if you had a good idea, Jack was willing to help you turn that idea into reality.

When you think about the appropriation bills and how long it takes us sometimes to pass bills and how long that we go sometimes without passing bills and have to throw them in an omnibus at the end of the year, there was always one bill that we never had a problem passing. I can't remember in the 16 years that I have been here in the House of Representatives it ever taking more than 10 minutes to pass the Defense appropriations bill. Jack just had it all worked out from the beginning, and he worked it out with both sides. That was the beauty of it.

You know, it was said that when Jack wasn't in the majority anymore and not the chairman of the committee, it was hard to tell who was the chairman of the committee, because Jack and his good friend, BILL YOUNG, they worked together as a team. They were both the Chairs of the committee every year, regardless of what party was in control. It was his dear friend, and it was a pleasure to see those two work.

To sit on these opposite ends, we hear so much rancor in America today about the division in our country and the division here in the House of Representatives, how Democrats and Republicans can't work together. These two gentlemen worked together their entire careers. They were an example for the rest of us to follow.

Jack Murtha is not with us anymore. It's hard to imagine coming to the Pennsylvania Corner, and I think the toughest thing for all of us this week was to stand in that corner and see that chair empty and know that our friend wasn't coming in. It's going to take us a while for that to sink in that it's really happened, but one thing lives on. Jack would want us to move forward. Jack wouldn't want us to spend a lot of time dwelling about him or how we feel because he is gone.

Jack would want us to get back to work. He would want to make sure that we were working for this country and for our districts. He always told every Member that came over there, vote your district first. Regardless of what anybody tells you on this floor, you vote your district. I watched Jack Murtha chase some of the leadership of our party back from Pennsylvania Corner when they were trying to make some of our members not vote their districts. Jack made sure that that didn't happen.

Jack, we're going to miss you. You've been a great teacher. To those of us in the Pennsylvania delegation, you were a great friend, to many of us a father figure. We stand here today to honor your memory and to pledge to you that we will continue to work hard in your memory and make sure that the people of western Pennsylvania and the great State of Pennsylvania continue the tradition that you set for all of us, the example that you set for this delegation.

To his family, our deepest sympathies. Jack Murtha, Godspeed, God bless.

Mr. KANJORSKI. Mr. Speaker, Jack's chairman as chairman of the Appropriations Committee, DAVID OBEY.

Mr. OBEY. Mr. Speaker, this is a very human institution, and it's affected very much by our personal relationships with one another. Very frankly, for the first 20 years that Jack and I served on the Appropriations Committee, we were often adversaries. There were some issues that we differed on. He was, as has already been said, very much old school, and I was more of a reformer.

In fact, when I ran for the chairmanship of the committee against a senior member of the committee, Jack managed the campaign of my opponent and, unfortunately, he did a pretty good job. After I was elected, we had pretty much an arm's-length relationship for a couple of years.

But if you care about your country, and you care about this institution, you swallow your differences and you learn to work with everybody. Jack and I soon had developed a solid working relationship, and we became allies on a host of issues. One of our most important was our view of the war in Iraq and how to get out of it; and another was our concern about the dubiousness of our continued involvement in Afghanistan if we didn't have a better ally in that government to rely upon.

We often talked together, and we traveled together. We went to the Middle East together. We shared something special as well in a different place on this globe. A few years ago, he and I and Dave Hobson and our staffs became concerned about the visitors center at Normandy. It was really pretty much of a cracker box affair, and it was not at all fitting to the history of that place. So we determined that there ought to be a new visitors' center at Normandy. With the three of us working together with our staffs, that visitors center was built.

Today, if you visit it—and it's truly beautiful—there is a little plaque behind that visitors center in front of a small tree with the names of Murtha, OBEY and Hobson on it. I know I am proud of that, and I know Jack was proud of that. I think it symbolizes what happens in this place. Two people who started out as adversaries became reasonably good friends, never fully agreeing, because no two people in this place ever agree on everything, but we had a solid working relationship.

I learned one thing about Jack a long time ago. He had the courage of his convictions, and he fought hard every way he knew how for those convictions, and he cared deeply about the welfare of the men and women who served in the Armed Forces and defend this country's freedom.

I am proud that at Normandy there is that little note of the three of us having gotten together, all for one purpose, to honor the people who did so much on those beaches to build and preserve America's freedom and the freedom of the world.

Mr. KANJORSKI. Mr. Speaker, I would now like to yield to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I thank the gentleman for yielding.

I would like to take a bit different tack because I met Chairman Murtha for the first time in 1977 when I was an associate staff on Appropriations. My Member and my mentor, Adam Benjamin, Jr., was a member of the Appropriations Committee that year. Mr. Murtha, Mr. CARNEY, Mr. Benjamin and others were instrumental in that year, not only in that appropriations process, but in also establishing the Steel Caucus, because they were very concerned about people who worked in their district.

What I took away as a staffer from that relationship with Mr. Murtha is the fact that he always treated me and every other staff he came into contact with with respect. He always heard what I had to say and what other staff had to say, whether, as Mr. OBEY implied, he always agreed with you or not, and he always treated you very professionally.

I had no conception during those 6 years working as a staff member that the time would come that I would serve as a colleague on the committee with Mr. Murtha, would serve on the subcommittee, and would be blessed enough to call him a friend. He was a friend to every person he encountered. He was a good friend to the people he represented, because he was most concerned with those who worked hard, who needed a job or who needed a hand up.

Our country is much richer because of that attitude that Mr. Murtha carried with him every day, and the world is certainly a much better place than it would have been had he not walked among us.

The fact is, as far as his activities on the Defense subcommittee, and my Member was a former marine as well, I was always struck that while some people are very focused on weapons systems, Mr. Murtha, while never losing sight of the big picture, was most concerned about that individual man or woman who was in the field, who was risking their life and who was serving our country. As he would suggest, operation and maintenance, how you train, how you provide for their safety, how you equip that person and their family and those children was the most important thing for him.

He taught me many valuable life lessons. I am a better person, and we are all better people because of Mr. Murtha. He will be greatly missed, and I deeply appreciate the gentleman from Pennsylvania for this opportunity.

□ 1745

Mr. KANJORSKI. Mr. Speaker, I now yield time to the gentleman from western Pennsylvania, one of Jack's prodigies, JASON ALTMIRE.

Mr. ALTMIRE. I thank the gentleman from Pennsylvania and I thank everyone who has spoken tonight.

I want to talk about western Pennsylvania and what Jack meant to western Pennsylvania, his home region and my home region.

A lot has been said over the past few weeks, and certainly tonight, about the impact that this ''giant of the Congress'' made on this institution, that he made on this country, and certainly the impact that he had on the American military, and there is nobody here that supported them more than Jack Murtha.

I wanted to talk about the impact he had on his home region. I am fortunate enough to represent a district that is intertwined, due to gerrymandering, with Mr. Murtha's district, the district that he represented for so many years. I was born in a hospital that is in the district that he represented. I grew up in a town that is in the district that he represented. And I can tell you that we have lost a giant in this Congress and we have lost a giant in this country, but we've lost a giant in western Pennsylvania. He will not be forgotten in his home region.

And it should not be forgotten that this is somebody—and we talk about the work that he did as a member of the Appropriations Committee. He put, over the course of his career, $1.5 billion into breast cancer research. He put nearly $1 billion into diabetes research as a member of the Appropriations Committee. I don't think that there is anybody in this Congress that has a record that can match what he has done in promoting health and promoting wellness—yes, in our military, but across all segments of society. And again, this is somebody, as Congressman DOYLE talked of earlier, that epitomizes the work ethic that represents western Pennsylvania and the constituency that we represent.

I am fortunate to have known Mr. Murtha. I count him as a true champion of the region that I grew up in and somebody who will never be forgotten. There will never be his like again in western Pennsylvania, in the Congress, or in the country.

I thank the gentleman from Pennsylvania for the time.

Mr. KANJORSKI. I would now like to yield to part of our leadership, Mr. LARSON.

Mr. LARSON of Connecticut. I want to thank the gentleman, the Dean of the Pennsylvania delegation, for having this opportunity for Members to speak about a great American and someone who was so near and dear to all of us.

I want to commend MIKE DOYLE, BOB BRADY, PAUL KANJORSKI, the entire delegation for last week making sure that, aside from the formal services held for Mr. Murtha in Johnstown, Pennsylvania, there was an opportunity for an Irish wake afterwards. Jack, I know, would have been very proud of that. I am sure he got quite a chuckle with Tip O'Neill up in a higher place at the coming together of so many Members and regaling with so many stories of Jack Murtha.

America has lost a great patriot. The Congress has lost one of its giants, one of the most knowledgeable Members on national defense ever to serve here, whose service spanned four decades and eight Presidents and Members from both Chambers and on both sides of the aisle.

Our hearts go out to Joyce and the family. We in this body have lost a person that makes the very essence and fabric of being here so rich and rewarding; it was evident in listening to our colleagues, listening to RODNEY and BILL and JACK KINGSTON talk about Mr. Murtha. His death is a reminder to us all that our time here and all that we hope to accomplish is fleeting. As he would say, make the most of it while you're here; become expert in a field; but most of all, stand up for what you believe.

Jack reminded me in so many ways of my grandfather, with that shock of white hair and piercing blue eyes and his way of questioning, but also his incredible Irish wit. He loved Congress. He was the epitome of what so often is talked about in terms of bipartisan cooperation and was so often demonstrated between him and BILL YOUNG or Dave Hobson. When he gave his word, he kept it.

He was a Member's Member, ever cognizant of what he could do to help you. And while he was a tough questioner and firm in his convictions, he had an incredible heart and a deep love of history. He loved to talk about Tip O'Neill and the good ol' days here.

I was fortunate to travel overseas with Mr. Murtha four times. Sometimes I thought I drew the short straw in the Pennsylvania corner because Jack, when he took a trip, it was all work; up at 6, he was in bed by 7. There were no PowerPoints, and he looked people dead in the eye. And he always made sure that he spoke to the enlisted men because he cared most about them. A decorated hero, two Purple Hearts and a Bronze Star in Vietnam, the first Member from that conflict and veteran elected to the United States Congress.

Personally, a young man from East Hartford, my hometown, was wounded in Fallujah. He was in bad shape. He was sent back here, and his brother who was fighting alongside him, a fellow marine, was back there. Jack Murtha got on the phone and made sure that those brothers were united at Bethesda along with their parents.

I remember him counseling a father and his teenage son over at Ramstein Hospital in Germany. They had just lost a son. I don't know where Jack got the strength or that reservoir of courage to comfort and console the father and son, but he did, in almost Father O'Malley quality.

He cared so deeply about the troops that serve this great Nation. And as BILL YOUNG pointed out, he and BILL made more trips out to Bethesda and Walter Reed with no publicity. They did it out of duty and honor and respect for those who serve.

He wrote a book, and on these flights I was privileged as he would go through it with me. His favorite book of all time was ''War and Peace.'' He cared as deeply about peace as he did about making sure that we protected our troops when they're in the field and took care of them when they came home.

He will ever stand out in the minds of Americans for standing up and speaking out against the war in Iraq, an issue that he struggled deeply with. But as so many great Americans on this floor and in this Chamber and around this Nation, he found that profile in courage to stand up and speak out.

Democrats, I dare say, would not be in the majority if it were not for Jack Murtha leading the way and speaking out, because he is a soldier's soldier. And he was respected on both sides of the aisle, as you've heard this evening. But as one commentator said, when Jack Murtha speaks, he speaks for America, and he did.

How proud he was to receive the John Fitzgerald Kennedy Profile in Courage Award. But his life was not only about speaking out; it was about the day-to-day work, the belief that he had in the men and women who serve and the people that he was sworn to serve from his district, and about the men and women who work here. He loved this institution. God, how everyone liked to come over to the corner. It seemed as though people were going over there either to hear confessions, seek advice and, most often, to check in on how their projects were doing. But he did it with wit, determination, and guile, and a deep love and abiding respect for his country.

For me personally, one of the great honors of being a Member of the United States Congress will always be to say I had the opportunity to serve with Jack Murtha, a great American.

God bless you, Jack. God bless Joyce and your family.

Mr. KANJORSKI. Thank you very much, Mr. LARSON.

I now yield to the gentleman from Pennsylvania (Mr. CARNEY).

Mr. CARNEY. Thank you, Mr. KANJORSKI, the new dean. I know that is probably a hard title to accept now under these circumstances.

It's interesting, I was listening to Mr. LARSON speak, and I truly wish that every American had the opportunity to be in Johnstown on Monday night last to be part of the wake we had because it was truly a celebration of a man who deserves to be celebrated, but it was very striking in the bipartisanship that was displayed there. Friends on both sides of the aisle came to honor the man who was—and the word is not overused in this case—a giant, who knew how to fight for what he believed in, but also knew the art of the possible.

One thing Jack taught me a long time ago is that we are judged on this Earth not by what we don't do, but what we do. That is how I think we all

have to proceed as Members of Congress in this body that we are privileged to be elected to serve. And here is a man who fought for everything he believed in.

Back in 2006, a number of us had the privilege of meeting Jack. He became our mentor when we came into power as the majority party again. And it was his leadership, his tutelage, and his guidance that got us here. And the fact of the matter is, when you came to Jack with a problem, especially one that dealt with the troops, he was going to take care of it.

Before my tenure here in Congress I was a professor at Penn State, and I had a student who was deployed to Iraq in the first wave of the invasion. He came back from Iraq and told me that, When we were there, we had to go through Iraqi junkyards to find scrap metal to lob onto our trucks for more protection. When I told Jack that story, that kind Irish face of his hardened, those blue eyes didn't twinkle quite as much, and that grin firmed up. He said, By God, we're going to fix that. And by God, he fixed that.

Jack, we are going to miss you. We are going to look back in that corner. We are going to know that we are not whole just yet, but we will remember the lessons you taught us and the leadership you provided.

Godspeed, soldier.

□ 1800

Mr. KANJORSKI. Mr. Speaker, I recognize the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. I thank the gentleman from Pennsylvania and now the dean of the delegation.

I want to echo the comments of my classmate, Congressman CHRIS CARNEY, also from Pennsylvania. When we came in together, he was really our mentor, and he was a great man. I thought it was fitting, when we heard earlier Republicans talking about the honor to serve with a great patriot like Jack Murtha, the fact that he always reached across the aisle. The pallbearers at his service last week were both Democrats and Republicans. They were coming together to be those pallbearers in that final service.

In that service last week, we heard how Mrs. Bair told a young Jack Patrick Murtha that one person can make a difference, that one person can change the world. Whether it was in the Marine Corps, in the Congress of the United States, or within the Murtha Family, Jack Patrick Murtha certainly did make quite a difference.

In the military, he was proud of his over three decades in the Corps. He was proud that he was the first combat marine to serve in the United States Congress. He was proud when he had given a knife to a current commandant of the Marine Corps, General Conway. General Conway talked in the service last week about still having that knife. He was also proud to go down the street at the Walter Reed military hospital to see the men and women, our country's heroes, when they came back. When they gave it all on the battlefield and they came home, he was there for them.

As for his time in the Congress, he was proud of the family that made up ''team Murtha''—the folks who served with great honor and distinction, not just to the constituents of the 12th Congressional District of Pennsylvania, but also to the citizens of the United States of America.

I am a person who often says that budgets are moral documents. If you want to see someone's priorities, you look at his budget, whether it's a family's budget or a country's budget. Well, the fact is that Jack Murtha made sure that our troops had everything that they needed. If our warfighters were going to put their lives on the line, if they were going to be willing to take a bullet to keep our families and our country safe, Jack Murtha did not want a fair fight. Jack Murtha wanted to make sure that our troops had a tactical and a technical advantage on that battlefield. Jack Murtha also wanted to make sure that the Congress of the United States and our country's policymakers also had the right war policy for those troops.

As JOHN LARSON said earlier, when Jack Murtha spoke about calling for a timeline to bring our troops home from Iraq, it sent shock waves, not just across our country but around the world, that he was going to stand up for principle and do the right thing. That is the kind of marine, that is the kind of leader that Jack Murtha was. It was no surprise to many of us who had watched him throughout the years when he was awarded John Kennedy's Profile in Courage. He was so proud of that award because he knew what that award represented—the fact that he, a guy who had grown up in Johnstown, Pennsylvania, had finally made a difference.

Lastly, we all know Jack to be the family man that he was. The fact is he was most proud of his wife, Joyce, of his kids and of his grandchildren. He'd be here at the Capitol so early, by 6:00 in the morning at least. Then when we'd have late votes, at about 7:00 or 7:30, you could see him fidgeting. We used to joke with him.

You'd hear Bob Ray ask, What's the matter? Does Joyce have pork chops going on? You know, why do you want to rush out of here?

He'd say, I've got to get home.

He wanted to make sure that he was home so he could be there with his family to have a meal.

I believe that John Patrick Murtha and his service that he gave to our country as a marine, as the chairman, and as a family man is a testament to his life's work, which is that one man can make a difference.

God bless you, Jack Murtha.

Mr. KANJORSKI. Thank you, Mr. MURPHY.

Mr. Speaker, I yield to the last of the Pennsylvania delegation, Representative DAHLKEMPER of Erie.

Mrs. DAHLKEMPER. I thank the gentleman, our new dean of the delegation.

I join my fellow Pennsylvania members and all of those who are here tonight to honor Jack Murtha. I am deeply honored and equally saddened to stand here in tribute to our colleague and to my friend, the late Jack Murtha. I am the youngest—or the newest member, I should say. I am not the youngest. I am the newest member of the Pennsylvania delegation. I've been here just 14 months.

Yet, from the first day that I stepped onto this floor, Jack Murtha was a friend, was a mentor. He welcomed me into the corner, the famous Pennsylvania corner which I had heard so much about. He welcomed me graciously, sharing his wisdom, sharing his intellect, his wit, his humor.

He would say, Hey, kid. How ya doing?

Jack and I, I think, quickly developed a very special relationship. I saw him sort of as my father on the floor, the person I could turn to. He was a mentor, always offering me that advice. Jack Murtha made sure that, as a new Member, I knew my constituents had to come first, that you represent the people who brought you here in every vote.

He was enormously helpful to all of us here. Certainly, if I had a question or a concern or an issue in my district, I'd first turn to Jack Murtha and get his advice on how I should proceed.

In November, I am so grateful that I was given the privilege to travel with Jack Murtha to Afghanistan over the Thanksgiving work period. We went to visit our troops abroad. To be with him and to see how he interacted with our troops was just a wonderful experience to be a part of. In seeing his questioning of those in charge, I learned a lot from him over that trip—how to do a CODEL, how to do it right and how to come back with the information that you need. There was no better person to really take that journey with than Jack Murtha.

His mere presence in Afghanistan and everywhere we went on that trip commanded respect from everyone we encountered, and his keen insight and understandings of the needs of our troops, I think, was appreciated by everyone. All of those whom he touched there knew that he had one interest, and that was to take care of those who were there serving our country.

Jack Murtha was a true patriot. He loved his country, and he believed in the value of public service. His passing is a great loss for the United States of America. It is a great loss for the Commonwealth of Pennsylvania. It is a great loss to his district. It is a great loss to all of us who served with him in the House. I am grateful to have served with him.

God bless Jack Murtha. God bless his family—his wife, Joyce, his children and his grandchildren.

Mr. KANJORSKI. Thank you, Mrs. DAHLKEMPER.

Now we will hear from the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. Mr. Speaker, I, too, come to pay homage to a giant—to our leader, our chairman, the epitome of a public servant. All of us feel like he was our best friend.

As the newest member of the Defense Appropriations Committee, I was in awe as I watched the chairman yield, educate, speak, and do what he did so that all of the members on our subcommittee, on both sides of the aisle, could participate in the process.

Chairman Murtha held 32 hearings before we even got to the appropriations bill last year. I was at every one of them. To watch him and to watch the prestige and the honor that he received as well as gave to those who came before our subcommittee was astounding. Chairman Murtha welcomed me into the group. It is a prestigious group. In my 32 years of public service, there has been none like it.

I honor you, Jack Murtha, for your wisdom, your courage. It has already been said—and I akin myself to all of my colleagues who have come before me, but the redundancy needs to be said over and over again—that our country has lost a giant. This institution will never be the same. We will strive to carry the torch and passion of Jack Murtha, those of us on the committee, on the full committee, and in this Congress on both sides of the aisle.

We love you, Jack Murtha. I pledge to you, as I do my work here in the United States House of Representatives, it is because of you and others like you who showed me and helped me to become that defense protégé, if you will, who will speak out, who will protect our men and women in uniform and our entire United States of America. So rest in peace, my great warrior.

To his family—to his children and grandchildren—know that you have a friend in all of us. We have adopted you into our family. Let us speak and serve and reach and grow and build a new United States of America as Jack Murtha has held us to do.

God bless you, Jack. We will never forget you.

Warrior. Statesman. Husband. Father. Legislator. Chairman John P. Murtha was the epitome of the best of what our nation's military and this Congress does. As one of the seven people in the history of our country selected to Chair the House Defense Appropriations Subcommittee, Chairman Murtha comes from a family with a long and stellar line of service to our country. Chairman Murtha's great-grandfather served in the Civil War. His father and three uncles served in World War II. Chairman Murtha, along with his brothers, served in our nation's military during the Vietnam War. His sons served in the military as well. Of course, we all know that Chairman Murtha went in as an enlisted man in the United States Marine Corps, serving as a drill sergeant at Parris Island, South Carolina, the home to many of our Marines. In 1966, Chairman Murtha volunteered for active duty in the Marine Corps, joining his brothers in combat. Chairman Murtha earned two Purple Hearts, a Bronze Star and the Vietnamese Cross for Gallantry in Vietnam. Chairman Murtha served in the Marine Corps in the reserves, and retired as a Colonel.

Chairman Murtha, after active duty in Vietnam, became active in politics and was elected to Pennsylvania's House of Representatives. When Chairman Murtha was elected to Congress in 1974, he was the first Vietnam era veteran elected to Congress. Chairman Murtha was a dedicated and devoted servant to the people of Pennsylvania's 12th Congressional District. We all know Chairman Murtha.

What many people do not know is how Chairman Jack Murtha fought for pay raises for all members of America's military. How Chairman Murtha demanded accountability from all our Presidents on the number of contractors in Iraq and Afghanistan. What many people do not know is how Chairman Murtha took a young Member of Congress aside and taught her or him how to get things done. What many people do not know is that Chairman Murtha was feared, and also respected; Chairman Murtha was intimidating and also loved. There is a reason that just over my shoulder, on the House floor, a flag hangs in respect, love and admiration in the seat that Chairman Murtha called home for more than three decades.

Chairman Murtha's respect went far beyond the confines of the House Appropriations Committee on Defense. When our Nation's warriors go to fight for us, they deserve nothing but the best in return. That was Chairman Murtha's goal for the men and women of our Nation's military. Chairman Murtha, very simply, made things happen. You know what? Most of the things that Chairman Murtha made happen never made the pages of the newspaper. They were not in a sound bite on television or on radio. But each and every Member who walks these halls know that Congress is a lot emptier and things will not be done as quickly or as well since the loss of Chairman Murtha. I do not believe that it is an understatement when I say that the reason why our troops in Iraq are coming home today is because Chairman Murtha, warrior, statesman, and lover of his men and women in combat, said "enough."

Chairman Murtha knew defeat and victory. Chairman Murtha loved the institution of Congress, he loved his family, he loved his Marines, he loved his service members of our nation's military, and those individuals who volunteer to put themselves in harm's way to defend our Constitution. Chairman Murtha defended our Constitution as a Marine in combat in Vietnam. Chairman Murtha defended our Constitution as a Member of Congress. Chairman Murtha will continue to guide the spirits and souls of us all as we work to solve the problems of America. Because that is what Chairman Murtha did—solve problems.

Chairman John Patrick Murtha, rest in peace. To his wife and family, know that we will always honor and cherish his memory, and we thank you for sharing him with us for more than three decades. The heart of a lion that once roamed the halls of Congress is lost, and I will miss his kind heart, his vivacious spirit, and his intelligence forever.

Mr. KANJORSKI. Thank you very much, Ms. KILPATRICK.

Now we will hear from the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Well, thank you very much.

I just want to express my deep sense of sadness for the loss of a very dear friend, someone for whom I had a great deal of respect and admiration. I know that sense is not unique. It is shared and expressed by a great many of other people. Of course, the reasons for that are the interactions that he had with so many of the people. It is the involvement that he had and the way in which he provided leadership and direction for a great many. I knew him for a little more than 17 years but not very closely until the last year and a half or so, and that was because I now serve on the subcommittee that he chaired, the Subcommittee on Defense.

I felt a great sense of admiration for him, for the focus that he had on the work that he had to do and for the way in which he did it so very, very effectively. I could understand why, because that was the simple nature of the man, and it was the kind of thing that he had done all his life.

He served in the military, and was a great exemplary of strength, and honor, and courage, and he had done the same thing during his tenure here in the House of Representatives. He served with strength, and honor, and courage. He did a great many things for the district that he represented, a great many things for Pennsylvania, but also a great many things for many places across this country. I know that he did a great many things in helping me.

So, again, I want to express my deep sense of gratitude for Jack Murtha, my deep respect for him and this deep, unexpected sadness in his leaving us. I had thought that he would be here for a long, long time. Nevertheless, we will continue to have the strength that we have had as a result of our interactions with him. We will be much more effective, much more knowledgeable, and there will be a continuation of positive things done here. A lot of those positive things will be as a direct result of the leadership and of the examples set by Jack Murtha.

Thank you, Jack, for everything that you've done.

Mr. KANJORSKI. Thank you very much, Mr. HINCHEY.

Now we will hear from the gentleman from Georgia.

Mr. BISHOP of Georgia. I thank the gentleman for yielding and for allowing me to participate in this tribute to our great friend.

The poet wrote that the lives of great men all remind us that we can make our lives sublime, and departing, leave behind footprints on the sands of time.

Jack Murtha was a great man, and he, indeed, left indelible footprints. He left footprints on his beloved district in Pennsylvania with all of the projects and all of the things that he did for his

constituents there over the 36 years of service he gave.

He left footprints on the Department of Defense and on the men and women who served in our military and their families with all of the care and the concern that he put into making sure that they had everything that was needed to carry out their missions and that they got what they needed when they returned home.

□ 1815

He left a footprint on this institution with the leadership and the example that he set for all of us as a bipartisan collegial representative. To watch the interaction between Mr. Murtha and Mr. YOUNG and to be able to feel and to see the genuine friendship and mutual respect that they had for each other was a lesson every day in the collegiality and the civility that Members of this institution should carry in the traditions of this institution.

Jack Murtha made and left indelible footprints on the United States of America. He made an impression on all of us, on his family, Joyce, who was a mentor to my wife in the Congressional Club as Jack was a mentor to me in this House. I can remember my very first trip to Murtha's Corner, seeking sage advice, and I can remember the last trip on his last day on the floor a thousand visits later.

Jack made a lasting impression on us. He was a friend. He was a mentor. He was a Members' Member. The world is better because Jack Murtha was here. This institution and our country are better because Jack Murtha was here.

Someone said you make your living by what you get; you make your life by what you give. Jack Murtha indeed made a life and he made our lives better for his service.

Thank you, Jack. Thank you to the Murtha family. Thank you, God, for allowing us to know, love, and share the life of this very exceptional and remarkable man.

Mr. KANJORSKI. Mr. Speaker, I yield now to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. We will miss Jack Murtha. Strong-willed plain spoken, fearless, dedicated, patriotic, honorable, and remarkably generous with his time, his wisdom, and his advice. We will not see the like of him.

The descendant of veterans of the American war of independence and the Civil War, he was the champion of the marine, the soldier, the sailor, the flyer. And to me personally he was magnanimous.

When the Speaker created the Select Intelligence Oversight panel as part of the Appropriations Committee and asked me to take the chair, Jack Murtha embraced the panel and gave it strength, even though it might have appeared to lessen his authority. Of course, nothing ever diminished the authority of Jack Murtha. He embodied authority. More than magnanimous, he was kind and sharing.

We express our sympathy to the family, friends, and all of those who Jack Murtha championed who don't know what he did for them and what he did for America. What a loss.

Mr. KANJORSKI. Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. We who worked with Jack Murtha day in and day out really appreciated his deep respect for this institution.

In a time when we see the demise of institutional respect and ritual, he enjoyed the ritual of this House, just as he enjoyed the ritual of serving his country as a marine. He enjoyed the ritual of marriage. He was honorable, he was devoted, and he was faithful; a faithful brother who served his country and asked nothing in return. Man, that is different in this city.

Jack and I 7 years ago came together in two different paths in order to respond to our soldiers, our brothers and sisters, our aunts and uncles and fathers and mothers who were coming back from Iraq and Afghanistan with the signature injury of those two wars: traumatic brain injury. No contusion, no blood, misdiagnosed, never diagnosed. And post-traumatic stress disorder. It was part of my official family. I knew it firsthand. And Jack said, Why don't we bring the civilian research and the military research together. So we set out. Can you imagine going into a war without having ready how we would help those soldiers coming back? Jack couldn't. And he did something about it.

When you go to Walter Reed Hospital, a hospital that was supposed to be closed, if you remember, 4 years ago, and you see the state of the art, he did not give up on those soldiers, many of whom would be dead if it were not for what he did in getting the resources so that the state-of-the-art treatment for our soldiers would be there.

To his friends on both sides of the aisle, let us remember when Jack would come to the microphone, and it wasn't often, but he came to the microphone during appropriations time, and he would say many times to me, BILLY, watch how quick I'm there and I'll be gone. And you would think the chairman would want to give a dissertation. But he had done his homework. There were no speeches that were necessary. He did not mention platitudes. It was honor, duty, and then a nonpretentious exit.

Good friend, you are not gone. We will remember you and we love you.

Mr. KANJORSKI. I yield to the gentleman from Illinois (Mr. LIPINSKI).

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

I know a lot of people have talked about Jack Murtha as a giant, and I really think that this institution probably will not see another man like Jack Murtha in many ways.

But I really think what stands out most to me and what has come through here is that Jack Murtha had a heart of gold. He really cared about people. He cared about the men and women in our Armed Forces. He cared about his colleagues. And he cared about his constituents greatly, especially in his hometown of Johnstown, Pennsylvania.

I really didn't get to meet Jack Murtha until I was elected in 2004, but I feel like I really started to get to know him before that. In 2000 I started dating Judy, who is now my wife, and she is from Johnstown. Her family is still in Johnstown. So I would go to visit Judy's family in Johnstown and I would hear people talk about Jack Murtha. I would see what Jack Murtha did for his district. And I knew that his constituents, especially the people of Johnstown, loved Jack Murtha.

When I was elected, I would often go say hello to Jack over in the Pennsylvania Corner, just come over to say hello, and so many times he would give me that smile and he'd tap his colleague next to him on the shoulder and say, This guy married a gal from Johnstown. And I always felt a very close connection to Jack because of that.

I feel very blessed to have had the opportunity in these 5 years to get to know Jack Murtha and what he did for Johnstown. I certainly saw people suffer through floods, economic turmoil, and he really cared about the people, and doing all he could for them meant a lot to him.

I will really miss Jack and what he meant to so many of us. I really think that Jack loved his job because he knew it gave him a great opportunity to do what he really believed, and that is take care of people, to help people out. And this job gave him the opportunity to do that, and he did it throughout all of his life. And because of that I will greatly miss Jack Murtha.

God bless Jack Murtha, Joyce, and his entire family.

Mr. KANJORSKI. Madam Speaker, we have the Speaker who will be arriving and, as I understand it, we have additional Members who will make requests to speak for 5 minutes.

Ms. LEE of California. Madam Speaker I rise to remember my friend and our dear colleague Congressman John Murtha.

I was deeply saddened when I learned of Congressman Murtha's death. I share the sentiments of my colleagues on the floor today, and my heart goes out to the entire Murtha family for their loss.

The people of Pennsylvania and of this entire country have lost a good and faithful servant with the passing of Congressman John Murtha.

For nearly half a century, whether it was on the battlefield as a Marine, the Pennsylvania state legislature or on Capitol Hill, John Murtha always led with distinction and honor.

As a veteran of the Vietnam War, Congressman Murtha served this country courageously and was a staunch advocate for our men and women in uniform.

In the House of Representatives he was a true leader, and a man of conviction, who was always willing to share a word of wisdom.

He had the courage to call for a withdrawal of U.S. troops from Iraq long before it was popular to do so and I will always be grateful for his willingness to take such a difficult stand.

We have lost a friend and colleague, and our country has lost a great public servant and statesman. Congressman John Murtha will be deeply missed.

My thoughts and prayers are with his wife Joyce, his daughter Donna, his twin sons Pat and John and his three grandchildren: Jack, Anne and Clayton.

It is our charge to ensure that his memory and legacy lives on, and that we continue his fierce dedication, loyalty and love for the brave men and women of the Armed Forces.

Ms. MCCOLLUM. Madam Speaker, I and the following members rise in recognition of the late U.S. Representative John Murtha's lifelong dedication to members of our armed services: Representative BRUCE BRALEY, Representative TIM WALZ, Representative KEITH ELLISON, Representative JAMES OBERSTAR, Representative LEONARD BOSWELL, Representative DAVID LOEBSACK, Representative COLLIN PETERSON, and Representative TOM LATHAM.

Chairman John Murtha was a passionate legislator and decorated ex-Marine who never stopped fighting for our men and women in uniform. In 1974, Murtha, then an officer in the Marine Reserves, became the first Vietnam War combat veteran elected to the House of Representatives. As Chairman of the House Appropriations Subcommittee on Defense, Congressman Murtha was a tireless advocate for our troops, military families, and our veterans on Capitol Hill. At a time when we are mourning his passing, it is important to recognize Chairman Murtha's work to ensure that veterans receive support. The undersigned members would like to call attention to the work he did to secure the benefits promised and earned by 22,000 National Guard and Reserve personnel in our states.

In January of 2007, the Department of Defense authorized Post-Deployment Mobilization Respite Absence (PDMRA) program, which provides additional pay when a soldier deploys more frequently than DOD policy requires. For the two years since the authorization of PDMRA, the Pentagon's implementation of the program has been slow and incomplete. As result, thousands of National Guard and Reserve members who have served multiple and extended tours in Iraq and Afghanistan did not receive the pay to which they are entitled. This problem has affected National Guard and Reserve personnel in every state across the nation. Members organized to bring attention to this problem and to find a resolution. The undersigned members have sent letters to the Pentagon, organized events, and met with armed services personnel for years and asked for the Chairman's assistance and leadership.

Chairman Murtha heard our request and took action. He made phone calls directly to Defense Secretary Robert Gates and Army Secretary Pete Geren. He included language to remedy the delay in the FY10 Defense Appropriations bill, and in numerous letters to the Department of Defense since 2007 Congressman Murtha supported his colleagues in making it clear that further delay in resolving this issue was unacceptable to our members of the armed services. Because of the Chairman Murtha's support, the Department of Defense issued Army policy guidance for cash reimbursements for PDMRA for Reserve and National Guard personnel, which represents a crucial step in finally resolving this issue.

The late Congressman John Murtha has shown throughout his time in the military and in Congress that he is a dedicated leader on fighting on behalf of military families.

Ms. HARMAN. Madam Speaker, Jack Murtha was a paradox: a big man with an impressive war record who never wavered from his commitment to the wounded, the disadvantaged, and always challenged those who, in his strong opinion, underestimated the economic and human costs of war. He was a politician who constantly spoke his mind, and never worried about ruffling feathers. That's rare in today's Washington. Jack reached out to his colleagues—not just those who sat near him in the "Pennsylvania corner" on the House floor, but to others whom he respected. The people of California's 36th District and I are lucky to have been one of those he looked out for. I remember his visit about a decade ago to the Los Angeles Air Force Base Space and Missile Systems Center, located in my Congressional district. Of course he cared about SMC's mission of development and acquisition of our nation's defense satellites, he also wanted to know about the people of SMC. He met with the generals and staff about how things were going, and whether funding was on track, but he also took the time to speak at a "town hall" style meeting with the workforce where he thanked them for their service and to check on their well-being. They will miss him. So will I. I hope Joyce and his family are comforted by how big the big man's impact was.

Mrs. LOWEY. Madam Speaker, I rise to pay tribute to the life of our dear friend and colleague, Chairman John Murtha. Jack was truly an all-American—a committed public servant, decorated veteran of war, small businessman, devoted husband and father.

Many have recalled in recent weeks his service on the front lines of combat. His experience in the military made him a lifelong advocate for our men and women in uniform and a compass for this body when it came to making some of the toughest issues we face—those related to the defense of the United States.

Jack Murtha exercised his power to protect the country he loved, taking seriously the trust of his constituents and his responsibility to the American people. As Chairwoman of the foreign aid subcommittee and a member of the Select Intelligence Panel, I witnessed firsthand and benefited from his expertise on military strategy, intelligence, and foreign policy.

His compassion and commitment to do what was right were equally impressive. On his broad shoulders, he carried a great burden to not only provide for our troops and our security, but to ensure that we have made this world better and safer, including for innocent civilians in warzones and vulnerable societies around the world. And, with a heavy heart, he regularly gave his time to lift the spirits of men and women recovering from injuries in battle, sharing with them the appreciation of a grateful nation.

Finally, I would like to note his dedication to a goal we shared—alleviating cancer, especially those unique to women. He not only worked to help adapt military technology to aid in the treatment of cancer, he and his loving wife Joyce have supported initiatives to directly assist breast cancer patients and survivors.

Chairman Murtha was a giant among men, and his lifelong service to our country will be missed.

Ms. HIRONO. Madam Speaker, I join with my colleagues in the House to express my deep sadness at the passing of one of the most extraordinary members to serve in the U.S. House of Representatives. Jack Murtha will be missed as a courageous statesman, a respected colleague, an effective legislator, a dedicated representative of his constituents in Pennsylvania, a true friend to those who wear the uniform of one of the U.S. Armed Services, a treasured friend, and most important as a beloved husband, father, and grandfather.

Many of you served with Jack Murtha for decades; as a sophomore member of Congress, I only had the privilege of serving with Jack for a little over three years. Despite the fact that he was one of the most senior and powerful members of our body, Jack was interested in the needs of my district and helped me to secure funding to clean up sites in Hawaii impacted by Department of Defense activities.

Congressman Murtha's decades of dedicated service in the U.S. Marine Corps and Reserve and his service in Vietnam gave him an appreciation of the sacrifices made by the men and women who serve in the Armed Forces. Nothing was more important to him than the wellbeing of service members and their families. And he and his beloved Joyce regularly went to visit the wounded at Walter Reed and other hospitals.

Despite his years of service in the military and his long-time record as an advocate for the military, Jack did not hesitate to speak his conscience. Despite his initial support for the War in Iraq, he became disillusioned with the conduct of the war and called for the withdrawal of our troops. This took great courage and, in my view, speaks to the inherent honor of this fine man.

It is still hard to believe that Jack is gone. He had such a dynamic presence that it feels as if he is still here with us—sitting in his corner holding court. In his book, From Vietnam to 9/11, Jack wrote, "Ever since I was a young boy, I had two goals in life—I wanted to be a colonel in the Marine Corps and a member of Congress." He achieved those goals and so much more.

I send my deepest sympathy to Jack's partner of 55 years, Joyce Murtha; to his daughter Donna; his sons Pat and John; and his grandchildren. I join all my colleagues in giving thanks for Jack's life of service and accomplishment. Mahalo nui loa, Jack.

Mr. SKELTON. Madam Speaker, I rise today to pay tribute to my friend and colleague Congressman John Murtha of Pennsylvania. It is with a heavy heart that I say goodbye to a friend of more than 30 years.

Jack Murtha arrived in Washington to serve in this House in 1974, just a few years before I had the honor to join this distinguished body.

Jack Murtha and I had a lot in common, in our love for the troops and for our country. We didn't always agree, but you always knew that his heart was in every fight he took on. People listened to his counsel. He had conviction. He inspired respect.

The kind of respect that Jack Murtha had in this House doesn't come automatically. No

one has it when they take the oath of office for the first time. It has to be earned.

Jack Murtha was no nonsense. Like President Truman, he didn't suffer fools. You knew where he stood, and if you were lucky, you had him in your corner. He was a fighter, for his country and for the people of Pennsylvania.

Jack Murtha was a leader. He loved our country. He loved the men and women of the Armed Forces, and especially the United States Marine Corps, of which he wore the uniform and served with great distinction.

He also loved the Congress, and understood its indispensable role as a co-equal branch of our federal government. Anyone watching the House floor could see his leadership in action, as he held court with other members in the back corner. A master legislator, he built relationships, mentored other members, and conducted the business that runs this institution and plays a big part in running this country.

With the passing of Jack Murtha, we have lost one of the giants of the House. I salute his dedicated service to our country—as a Marine, as a businessman and community leader, and as a Member of Congress.

Jack Murtha will be deeply missed. My condolences go to his wife Joyce, his children Donna, Pat, and John, and also to the people of Pennsylvania he cared about so much and represented so well.

Ms. WASSERMAN SCHULTZ. Madam Speaker, first, let me thank Congressman KANJORSKI for reserving this Special Order today to honor the life, legacy and service of our friend and colleague John Murtha.

Our Nation has lost a gifted lawmaker, a devoted public servant and a true patriot. In 1974, Jack became the first Vietnam War combat veteran elected to Congress. His spirit emboldened and his resolve hardened by his service on the battlefield, he became a tireless advocate for the people of Pennsylvania and all Americans.

We all know so well that he never lost his courage and his dedication to our Nation's security, our troops, or their families. Even after his election, he continued to serve in the Marine Corps Reserves until 1990 as a Colonel, receiving the Navy's Distinguished Service Medal.

From my first day here, Jack was always a mentor and a friend. When I was first appointed as a Cardinal on the Appropriations Committee, Jack was right there with sage advice and a helping hand. His no-nonsense exterior contained a fiery soul and fierce intelligence the equal of which this body has seldom known. Our Nation is surely better for his service to it and a grateful country grieves its loss.

Our thoughts and prayers are with his wife Joyce, their children, and extended family during this time.

Mr. LEWIS of California. Madam Speaker, Jack Murtha and I served together in this institution for over 30 years. We disagreed at times over policy and politics, but I am proud to say that Jack was my friend.

Throughout my time in Congress, I have never seen a more valiant defender of the men and women of our armed forces than Jack, nor a more steadfast advocate for our country's unequaled national defense.

Years ago, when I was convinced that we should push forward quickly with development of the Predator UAV, Jack listened to my reasons and helped me push through the funding that has produced one of our most valuable weapons in the War on Terror.

When I became chairman of the defense appropriations subcommittee, I counted on Jack Murtha to be a partner rather than an adversary when the welfare of our military was on the line. When we urged that the F–22 program be reined in to ensure it was thoroughly tested, Jack was by my side and helped win the day and make that a better airplane.

Just weeks ago, Jack and I traveled together to Afghanistan. We were under tight timelines that were influenced by the situation on the ground. Although the travel was hard and the schedule was arduous, Jack maintained the energy and dedication of a man half his age. His unwavering purpose was to learn as much as he could, gain as much insight from our commanders as possible, and see for himself the challenges our country faces in that region.

He was a true patriot, and his passing is a cause for great sadness. This Congress will be a much lesser place without him.

My wife Arlene and I offer our most sincere condolences to his family, and also to his second family—his Congressional staff and the Members and staff of the Appropriations Committee.

Mr. BACA. Madam Speaker, I rise today in recognition of a dear friend and colleague, loving father and grandfather, and a true American patriot, Rep. John Murtha.

John served proudly when called to action in the Vietnam War, and his valor was recognized with the Bronze Star, and not one—but two Purple Heart awards.

In all, John spent an astounding 37 years of his life in active and reserve duty service in the Marine Corps.

In 1974, John heeded another call to duty, and began a life of public service here in the House of Representatives.

John served his constituents in Western Pennsylvania for an impressive 19 terms.

In Congress, he was respected for his political prowess—and his tireless passion to support America's men and women serving in uniform.

John Murtha was a man who measured our nation's strength not only military might, but also in the well-being of our people; and I am proud to have served with him in this body.

The thoughts and prayers of my wife Barbara and I go out to Joyce and all of John's family during this difficult time.

Mr. QUIGLEY. Madam Speaker, I rise today in honor of Congressman John Murtha, who passed away on February 8th, 2010. Representative Murtha was an exemplary leader and an American patriot.

Born into an Irish-American family, John left college in 1952 to join the Marine Corps. Here he would begin his course in leadership, becoming a Marine Corps drill instructor. His military career not only led him to receive a degree from the University of Pittsburgh, but also placed him on the front lines of service in the Vietnam War. During this time, he was awarded the Bronze Star with Valor device, two Purple Hearts, and the Vietnamese Cross of Gallantry.

In 1974 John was elected to the U.S. House of Representatives and had an extraordinary 36 year career, obtaining the distinction of Pennsylvania's longest serving Congressman two days before he passed. A fiercely independent-minded public servant, John strived for bipartisan solutions to our nation's struggles. He had no fear of partisan attacks and as the Chairman of the House Appropriations Defense Subcommittee he courageously spoke out against the Iraq War. His fearless calls for the withdrawal of American forces in Iraq, in the face of strong partisan confrontations, earned him the John F. Kennedy Profile in Courage Award.

I thank John for his service to our nation. I extend my deepest sympathies to John's wife Joyce, his children Donna Sue, John, and Patrick, and his grandchildren in this difficult time. John was a tremendous public servant who exemplified the spirit of America. He will be greatly missed.

IN MEMORY OF JACK MURTHA

The SPEAKER pro tempore (Mrs. HALVORSON). Under a previous order of the House, the gentleman from California (Mr. FARR) is recognized for 5 minutes.

Mr. FARR. I live in Carmel, California, and when the phone rang and I heard that Jack Murtha had died, I couldn't believe it. I broke into tears. I just couldn't believe it. It was like when I heard my father had died. And what I did at that moment was I did the same thing when my dad died. I sat down and I wrote a letter to Jack Murtha. Here it is:

''Dear Jack, I can't believe you're gone. Gone from the Pennsylvania Corner, from your chair where we would all come to see you. Each checking in during floor sessions on your opinion on military issues and Pennsylvania politics. And we talked about our issues, about base closure progress, about programs that were working and programs that had problems. Always thanking you for your help. Thanking you for your earmarks. I'll never forget what you did with your earmark for breast cancer research, for child care centers at military bases, for military education. More than anything else, you were concerned about the welfare of our troops and especially their families.

''Remember when you got me to go to Walter Reed Hospital and Bethesda Naval Hospital to visit the war wounded and how we worked to get golf carts for disabled soldiers by insisting that each of the 177 golf courses operated by the services have carts for the disabled?

□ 1830

''You always asked me, 'How is that university that we got at Fort Ord doing?' I thanked you for the help in getting the $65 million to get it started. Jack, Cal State University Monterey Bay is doing really well, with ever-growing enrollment and faculty. You can be proud of your role you played in converting swords to ploughshares.

''You got really excited when I showed you what I had done to bring all the military missions in Monterey

County together to form Team Monterey, showing the brochure indicating that over $1 billion was spent in Monterey County for the DOD efforts there. You were going to see if this team effort could be done for your district and for the State of Pennsylvania.

''Jack, you were quite the Zeus. Everyone came to you, loved you, loved your good nature, your loyalty, your friendship, your laugh, and your wisdom. Remember how you would bet on how long the debate would take on the Defense appropriations bills? You always won. I was shocked that the biggest appropriations account in the Federal Government could be enacted with the shortest debate. You laughed and said, 'All the problems were worked out in committee, we don't need floor debate.' At first I thought it was a fluke. But over the years, I learned you made it so.

''Jack, thanks for coming out to the Monterey Peninsula to visit the Naval Postgraduate School and the Defense Language Institute. You were a good listener, and always insisted no PowerPoints, no BS, just the problems. No one in Congress cuts to the issue faster than you.

''I remember your delight in hearing from an IED specialist just back from Iraq who asked you, 'Why don't we figure out what makes cultures set these things off in the first place?' You loved that thinking. Thanks again for allowing me to ride back to D.C. on Mil Air. We brought Paul Stockton along and had a wonderful discussion on Iraq and how we might exit. By the way, Jack, Paul is now the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs. I know how much you respected his insight.

''Thanks, Jack, for always asking me for copies of photos I took, not of you, but of your staff. I remember the photo of John Hugya when he was your district director taken with President Clinton. You insisted I give it to you for him. Remember the time you hung up on a President when he called you? You had guts.

''I remember going to your district and being in a meeting with the area economic development folks. You were giving them the Washington update. It was cold and wet, but full of people. I admired how devoted they were to you. And I took pictures, which you wanted to pass on to them. Seeing the countryside and the poverty of the area made me realize how lucky I was to represent my district. You really helped people in need. That is why you are loved in your district and here on the floor of the House of Representatives.

''The House Chamber has a lot of famous fixtures and paintings, statues, reliefs, but you are going to stand out as one of our greats. You showed your profile in courage in taking a nationally profiled lead against the war in Iraq that you originally supported. And you were attacked by everyone except the military. They knew that you knew it couldn't be sustained.

''When they attacked you with big campaign expenditures to defeat you, your friends responded without even being asked. The word was out Jack was in trouble, and we responded.

''Jack, you shouldn't have died. It is a real shock, not only to you, your friends, and this institution, but to your beloved family. You and Joyce had such a special partnership.

''I loved accompanying you both on the Appropriations Committee CODEL to California's National Parks, the joy you got in seeing how a former army base in San Francisco could be turned into the Golden Gate National Park, and even Alcatraz is now a tourist site. You loved being a tourist in San Francisco and Joyce was so appreciative of NANCY PELOSI's hospitality long before she sought leadership roles.

''While the Democratic Caucus was visiting Nemacolin Resort in your state you encouraged me to visit the two Frank Lloyd Wright homes there. Joyce led the tour. She was a model host and a good friend to all. I can't imagine her life without you, nor yours without her. This has to be as hard for your children as it was for me in losing my mom at an early age. Time heals—unfortunately it is going to take a long time.

''Congress will miss you as a great member and, more importantly, as a caring, sensitive friend. We will try to fill in, but the credibility will be lacking and the outcome less successful.

''Just know you made a difference, a big difference—out here on the Central Coast of California—you helped launch a new university, upgrade the Naval Postgratuate School, and provided the programs that let our students learn foreign languages faster and better.

''You were the Captain of our ship, and Oh Captain, you will be sorely missed!''

I'd like to include the letters from the Naval Postgraduate School and the Defense Manpower Data Center in Monterey in sympathy.

NAVAL POSTGRADUATE SCHOOL,
Monterey, CA.

Congressman Murtha was a true servant to the public, a throwback with few peers matching his length of service to the U.S. House of Representatives. Service to his nation was perhaps a constant throughout his life—not only is he one of our nation's longest serving representatives, he was also a retired Marine Corps colonel, joining the service in 1952 during the Korean War out of a deep sense of obligation to his country.

Congressman Murtha also served as Chairman of the Defense Appropriations Subcommittee—and was the ranking Democrat on the committee for nearly two decades—which put him in a position to impact so many communities far beyond Pennsylvania's 12th District.

That impact was felt here at the Naval Postgraduates School, where he was a friend to NPS. He believed in the value of graduate education for military officers and was consistently and particularly supportive of NPS over the years. Congressman Murtha recognized the value of the NPS MISSION in supporting our military forces and NPS unique contributions to national security.

LEONARD A. FERRARI,
Executive Vice President & Provost.

DEPARTMENT OF DEFENSE, HUMAN RESOURCES ACTIVITY, DEFENSE MANPOWER DATA CENTER,
Seaside, CA.

Chairman Murtha was a great American and a steadfast friend of the members of the Armed Forces and their families. He exemplified the best of our Nation's values and was the iconic example of a patriot. As a decorated veteran he identified closely with Service members and his tireless efforts to see that they were adequately compensated, well-trained, well-led and provided with the best equipment were legendary. As a direct result of his four decades of leadership in the Congress our ability to support and defend our Nation remains unsurpassed. His unwavering support for Defense organizations in the Monterey area was of enormous value to the Nation.

Every American owes him a great, great debt.

IN MEMORY OF JACK MURTHA

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

Ms. PELOSI. Madam Speaker, I rise to join my colleagues to sing the praises of a great man, Jack Murtha. Many of us had the honor of calling him colleague in this Chamber, and some of us here had the privilege of calling him friend. And when he was your friend, you had a true friend.

Last week, many of us traveled to Johnstown, Pennsylvania, to see Jack put to rest. It was wonderful to hear the stories of the thousands of people who showed up to pay their last respects to him in Johnstown, the people he knew so well, cared about so much, fought for in this Chamber. His family was gathered and surrounded by their loved ones and people. The former President of the United States, Bill Clinton, was there, the Secretary of Defense was there, the chairman of the National Security Council was there, representatives of the President's cabinet, and planeloads of his colleagues who came from Washington or drove from home.

At that time we laughed and we cried, and we tried to understand why this had happened. Jack's wife Joyce, who is very strong, said to me, ''Jack would have wanted it this way. He went out at the top of his game.'' Joyce is very strong. We went there to console, and we came back consoled by Jack's strong family.

I told them in my remarks about Jack holding court in the Pennsylvania Corner in this Chamber. There isn't another corner that I know of that has its own name and its own presiding officer. But Jack held court there, and Members from across the country and across the aisle came to visit him, to ask his blessing on their endeavors, and to just be encouraged, and sometimes supported by him. The cluster around him were Pennsylvanians and others, but he was never alone. He was a magnet, a personal magnet. People were drawn to him. He had this wonderful smile and cheerful, twinkling eyes.

To see him operate in the Appropriations Committee, many of us served there, was to see a master at work. But really to understand his character, it was more important to see him with our troops, whether it was just off the

battlefield or in a military hospital, Bethesda Naval Medical Center, Walter Reed, Germany, Afghanistan, Iraq, in the hospitals where our troops were taken.

From his own military experience, he would ask them questions very knowledgeably about their unit and what they had encountered and what they had seen. And they all loved seeing him. They knew he was their friend. And so to visit, on the occasions when I had the privilege of visiting with Jack Murtha, was to receive a special welcome from the troops and their families.

One time I remember in particular was we were visiting this young man, it was a second visit, and he managed somehow, when he knew Jack was coming, to get out of his bed. And as we went in the door, there he was standing at attention saluting Jack Murtha in a Steelers jersey. Pennsylvania, how he loved that State, how he worked for it, how we will miss him here.

He had a special way about him, as I have said, by dint of his knowledge, his courage. Imagine the courage it took for Jack Murtha to come to our caucus, to come to the Leader's office and tell me that day, ''We have to begin removing our troops from Iraq.'' He went alone to the press to tell them that. It was like an earthquake in terms of opinion. People who had questions about the war felt validated. People who respected Jack began to question.

One thing was for sure. He was respected by the military. And when he spoke, they knew it was with no agenda except the national security of our country and the safety of our men and women in uniform.

Force protection. He was always talking about that. When we would travel to the war zones, whether it was the seats in the trucks, or the better radios, or whatever, up-armored cars, body armor, you name it, as soon as he saw the need he came back and delivered. So when he did speak out against the war in Iraq, it was really quite a stunning thing for our country. I think it was really historic. It wasn't just that episode, it was that event of national significance, historic significance.

He received, as has been mentioned, the John F. Kennedy Profiles in Courage award. Can you imagine for people of our generation, someone to receive the John F. Kennedy Profiles in Courage award? I will never forget that night. The Kennedy Library, he and Joyce, black tie, beautiful Joyce, proud Jack standing tall like a Marine coming down those steps, being cheered by Democrats and Republicans alike. It wasn't about any partisanship. It was about patriotism.

He was a proud Marine, as we all know. Semper fi was their motto. Semper fidelis. Always faithful. And that was the motto of his life, faithful to God, faithful to country, faithful to his family, faithful to his district.

I can't talk about Jack, just one more moment, if I may, Madam Speaker, without talking about the funny stories he always told us about Tip O'Neill. Tip was his mentor. As he mentored so many of us, Tip was his mentor. And he loved Tip O'Neill. And he would tell us the stories of how it was to go to a baseball game with Tip, and this and that and the rest. I won't go into the stories now about peer review, Mr. OBEY, and those kind of appropriations matters. But Tip instilled in him, perhaps he had it innately, but still Tip strengthened in him a pride in this institution that he took very seriously. And he, in mentoring others, passed that pride on to others as well. He loved this Congress, he loved this institution. He left us at the top of his game. We will miss you, Jack Murtha.

Next week we will gather in Statuary Hall with many more friends who can join in, not as we are on the floor of the House, to once again pay tribute to this man. It is hard to believe he is gone. But as he said, ''Soldiers can't speak for themselves. We sent them to war, and, by God, we are the ones that have to speak out.''

His wife Joyce wants us to have the music God Bless America at the closing of his ceremony next week. God truly blessed America with the life, leadership, and service of Jack Murtha. I hope it is a comfort to Joyce and to the children and grandchildren, of whom he was so proud, that so many people mourn their loss and are praying for them at this sad time.

PRINCIPLED LEADERSHIP OF JACK MURTHA

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

Mr. RAHALL. Madam Speaker, I rise today to talk about principled leadership that makes a difference. That best describes the Dean of the Pennsylvania delegation and its longest serving member, Jack Murtha. Yes, Jack Murtha was a Member's Member. He was a soldier's soldier. Always straight shooting, courageous, willing to defend this institution and all of us that work herein.

During my 33 years of service in this body and with Jack Murtha, very few individuals would I turn to for advice and counsel like I would Jack Murtha. Like so many of my colleagues, I have traveled to troubled spots in this world with Jack Murtha. I have read and learned from him not only on these hardworking, hard hitting CODELS, but also from his book, From Vietnam to 9/11. Words of wisdom for all of us here today and for the future.

Many of my strongest memories of Jack Murtha are from our congressional travels together. We traveled to Lebanon in the fall of 1982, following the deployment of U.S. forces as peacekeepers to that country. We stayed in the very same Marine barracks that 6 months later were blown to smithereens.

During our trip in June of 1987 to Angola, it was Chairman Murtha who was successful in securing the release of a downed U.S. pilot from his Congressional district. Later, in August of that same year, we traveled to the Persian Gulf during the U.S. reflagging operation of Kuwaiti ships. A few years later, in January of '93, we traveled on an inspection trip to Somalia, following President George Herbert Walker Bush's December of 1992 dispatch of our U.S. troops there in order to establish order and ensure the success of our humanitarian relief efforts.

The bottom line in all of these travels, of course, as so many of my colleagues can attest, is that around this world our service men and women knew the true character of Jack Murtha.

□ 1845

They knew the backbone of Jack Murtha, a veteran, a dedicated public servant, an individual who was never too busy or never too selfish to take time to regularly visit our military installations, our military hospitals, to visit our brave, wounded service personnel.

From Chairman Murtha's station atop our Defense Appropriations Subcommittee, our soldiers knew, they were secure in the knowledge that their sacrifices and their dedications were in the best hands in the United States Congress.

I will miss you, Jack. I will miss our true leader. I will miss his courage and his dedication. Our courageous American troops will miss you, Jack Murtha. Our veterans will miss you, and all of America will miss you.

Your family, Joyce, and your children and your grandchildren, to them I extend my thoughts and prayers and know that the memories of Jack Murtha will always instill in his family the inspiration, the pride, the strength, and the love that will carry you on to carry on the brave torch of Jack Murtha.

God bless you, friend.

HONORING THE LIFE OF JOHN MURTHA

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

Mr. MORAN of Virginia. I want to make note, Madam Speaker, of the fact that the Speaker of the House is here and the chairman of the Appropriations Committee has been here throughout the entire time of this tribute, out of respect. That's old school. Jack was old school. That's what would matter to him. You'd never see him with a BlackBerry. Can you imagine Jack Murtha with a BlackBerry? I am sure he's never used the Internet once in his life.

You know, when we learned of Jack's passing, NORM DICKS and I were on the phone and, between sobs, we, at the

same time, we blurted out the same thing: He was like a father to me. He kind of was. He sort of taught us in his own ways, really, by his conduct, the way we should conduct ourselves in this institution. That's why he is here. He's here. He's left his mark on each one of us individually and collectively. He's done so much to shape this institution.

Family comes first. He would call his daughter, Donna, who's a teacher in Fairfax County schools, every night. Regardless of all the issues he was dealing with with Iraq and Afghanistan and so on, he'd want to know how her kids were doing in class.

And, of course, he adored Joyce. Joyce was the queen. Of course, Joyce would sometimes acknowledge that I know I have to share him with you, NANCY, as Speaker, but he had that kind of reverence that was so important to this institution for leadership and for individuals.

And he was also—he knew how to be a friend. Everyone who walked up to that corner, he welcomed. He knew their name. He made them feel welcome. If they had a letter that they wanted him to read, a little note or something, he'd take the time and read it. He'd say, Come on, sit down beside me.

He also was strong enough that he could afford to be gentle. We know how he reached out to all of the soldiers, the men and women in uniform, really cared about them. He'd go over to Walter Reed. He would go and stand with them, hold their hand at times.

He also did other things that, you know, if I didn't mention it, I doubt that anyone would know, and some people will think they seem a little silly perhaps.

Charlie Horner knows, his long time aide. He heard that Army Navy Country Club had a problem with the cats, that they had proliferated. They were all over the place. And so they decided, we've got too many cats; we're going to kill them all. Jack found that out. It's true, isn't it? But Jack found that out. He called a General and he says, Don't you go killing any of those kitty cats at Army Navy Country Club. And he didn't. They didn't. They all survived.

Just want to share an experience. 9/11, we were debating whether to put money into missile defense or into counterterrorism because Richard Clarke has told us that's the real threat. So it is the morning of 9/11 we were debating it, and Jack had decided the real threat is counterterrorism. And then NORM had seen the TV and the planes going into the World Trade Center, and we could hear this herd of people running down the corridor outside. The Capitol vacated immediately. But there wasn't a sign of anxiety, let alone fear, on Jack's face. I walked out with him.

We stood there in the driveway and all the police were trying to clear everyone. Jack didn't feel any need to move, and he told me this story. He says, JIM, when I was in Vietnam, I was in a foxhole and we were taking fire. And a young private jumped in the foxhole. There was only room for one person, so I had to get out. And I ran into the line of fire looking for a foxhole and found one. A few minutes later, a grenade landed in that foxhole I had been in, blew the soldier up. Now, this is the soldier, of course, who forced him into the line of fire. And Jack said, I have always felt so bad for that young soldier. I wish I had stayed there and not seen him blown up.

That was the kind of guy he was. He was bigger than life, but his life was really about other people and about this institution and this country.

So Jack, thank you for being who you were and who you are to this institution.

MAN OF THE HOUSE

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

Ms. KAPTUR. Madam Speaker, man of the House. The passing from this life of legendary Pennsylvania Congressman and Defense Appropriation Chairman and Marine Colonel John P. ''Jack'' Murtha truly represents a seismic shift in this Congress and in our Nation's history. His acumen, brass-tacks style, and man-of-his-word reputation are so rare.

As the longest-serving woman in the current U.S. House, I came to know Jack Murtha well, serving with him for 28 years. In early February, he became the longest-serving member of the Pennsylvania delegation in U.S. history.

No one had his grasp of our Nation's defense or his dexterity at ushering the complicated Defense Appropriation bill, the largest in Congress, with nearly unanimous bipartisan support.

Jack put the soldier first. Each branch of the service, plus the Guard and Reserve, owe Jack great gratitude. He was indefatigable in their cause. Jack Murtha respected the awesome power of the U.S. military, but he also knew its limits.

I have never served in this Congress when Jack Murtha wasn't here. Properly, a U.S. flag flown over this Capitol has been placed on his chair in the Pennsylvania corner where he anchored his work on the floor of this House that he loved. His knowledge, leadership, measure, and tutelage remain timeless gifts to those who shared his path.

As the first Democratic woman to serve on the Defense Subcommittee of Appropriations, I can attest, it never would have happened but for his support and encouragement. For his faith in me, I shall always be in his debt as I try to emulate his acuity, his range, and his concern.

We, his subcommittee colleagues, who had the privilege of serving most closely with this giant of a man shall miss him greatly.

When my constituents ask me to describe him, here's what I try to say in his cadence: Man of the House. Marine. Chairman. Colonel. Dean. Authentic. Patriotic. Semper fi. Fearless. Keen. Optimistic. Jovial. With an unforgettable glint in his eyes. Alive. Devoted husband to Joyce, and proud and caring father and grandfather.

To his family, we send our deepest sympathy and our abiding prayers and friendship.

Son of Johnstown. Rough hewn. Battle tested. Two Purple Hearts. A Bronze Star. Not blow dried nor cosmetic. Fiercely loyal to his district and Pennsylvania. In command. Extraordinarily hard working. Kept Marine hours, rising early, arriving early. Always building others. Trusted. Never gave a word he would break. If he said, I'll talk to you about it later, the subject was closed before you knew it. Acute judge of character. Revered counselor to dozens and dozens and dozens of Members and friends. In few golden but choice words, he advised, critiqued, led.

Don't mess with him. Absolutely loved politics. A ticket maker and analyzer. Lots of real friends. Some really cruel enemies. Always had a good word. An author. Well-traveled, too, often to war zones. Visited the wounded and bore that pain close to his heart.

New ideas and insights captivated him. Razor sharp mind. Don't tangle with him unless you know your subject. Memory that could recall votes 10 years ago, and who voted which way. Master of the rules. Wielded the gavel with authority and certitude. Attentive to the floor at all times, even when you thought he wasn't paying attention. Possessed all the attributes to be Speaker, except he came from the working class of people and didn't hail from a financial or government enclave.

Madam Speaker, he instinctively knew how to build a majority. He had lived war, and his heart was always with the soldier.

A giant tree has fallen in the forest. A lion is now at rest. How fortunate we are to cherish his friendship and service. America's defense is the best in the world because Chairman Jack Murtha lived to leave that legacy.

The passing from this life of legendary Pennsylvania Congressman and Defense Appropriations Chairman and Marine Colonel John P. "Jack" Murtha truly represents a seismic shift in our Nation's history. His acumen, brass-tacks style and man-of-his-word reputation are so rare.

As the longest-serving woman in the current U.S. House of Representatives, I came to know Jack Murtha well, serving with him 28 years. In early February he became the longest-serving Congressman in Pennsylvania history. He took it upon himself to guide young Members of Congress, particularly if their districts mimicked the hardscrabble nature of his own.

As representative of the Ninth Congressional District of Ohio, which extends along the Lake Erie shoreline from Toledo almost to

Cleveland, I had invited Jack to our job-challenged region many times. In fact, he was scheduled to open the national rifle matches at Camp Perry this spring.

Jack Murtha was legendary. He never forgot where he came from. He tirelessly served his district and his constituents. He grew to serve our Nation and his reach was global. No one had his grasp of our Nation's defense or his dexterity at ushering the complicated defense appropriations bill, the largest in Congress, with nearly unanimous bipartisan support.

Jack put the soldier first. His unheralded visits to military hospitals to visit the sick and wounded were not designed as photo ops but as heartfelt expressions of appreciation for those who served on the front lines and sacrificed for us. Every soldier knew he understood.

Each branch of the service, plus the Reserve and National Guard, owes Jack Murtha a debt of gratitude. He was indefatigable in their cause. In Toledo, our 180th F–16 Fighter Wing is genuinely the best in the world. Why? Because Jack Murtha helped to build its capability. I daresay he attended to all 435 congressional districts with the same diligence.

Our Guard and Reserve units were modernized with improved pay and benefits because he knew their importance: he advised America cannot conduct successful operations without them. America's blood supply is more robust and deliverable because he fought for it. New weapons, materiel, and technologies are underway in every service branch because Jack knew that some generals tend to fight the last war, so he purposely worked in the future.

Jack Murtha respected the awesome power of the U.S. military, but he also knew its limits.

I have never served in Congress when Jack Murtha wasn't here. Properly, a U.S. flag has been placed on his chair in the "Pennsylvania Corner," where he anchored his work on the floor of the House of Representatives and will remain unoccupied by those who held him in esteem. His knowledge, leadership, measure, and tutelage remain timeless gifts to those who shared his path.

As the first Democratic woman to serve on the defense subcommittee of Appropriations, I can attest it would never have happened but for his support and encouragement. For his faith in me, I shall always be in his debt as I try to emulate his acuity, range and concern.

We, his subcommittee colleagues, who had the privilege of serving most closely with this giant of a man, shall miss him greatly.

When my constituents ask me to describe him, here is what I say in his cadence: Jack. Authentic. Patriotic. Man of the House. Marine. Chairman. Colonel. Dean. Semper fi. Fearless. Keen. Optimistic. Jovial. With an unforgettable glint in his eyes. Alive. Devoted husband to Joyce and proud and caring father and grandfather. Son of Johnstown. Rough hewn. Battle Tested. 2 Purple Hearts. A Bronze Star. Not blow dried nor cosmetic. Fiercely loyal to his district and Pennsylvania. In command. Extraordinarily hard working. Kept Marine hours, rising early, arriving early. Always building others. Trusted. Never gave a word he would break. If he said, I'll talk to you about it later, the subject was closed before you knew it. Acute judge of character. Revered counselor to dozens and dozens of Members and friends. In few golden but choice words, he advised, critiqued, led. Defended his subcommittee's prerogatives.

Don't mess with him. Absolutely loved politics. A ticket maker and analyzer. Lots of real friends. Some really cruel enemies. Always had a good word. Liked bright colors on others. Extraordinarily gifted. Well read. An author. Well traveled too, often to war zones. Visited the wounded and bore that pain close to his heart.

Quite curious. New ideas and insights captivated him. Capable of independent views. Razor sharp mind. Don't tangle with him unless you know your subject. Memory that could recall votes from 10 years ago, and who voted which way. Master of the Rules. Wielded the gavel with authority and certitude. Attentive to the Floor at all times even when you thought he wasn't paying attention. A coach. Possessed all the attributes to be Speaker, except he came from the working class of people and didn't hail from a financial or government enclave.

Not a trust fund baby nor into the cocktail circuit. Self made. Fair. Precise. Garrulous. Politically savvy. Strong, Unflinching. Always humorous, throwing his head back with a sincere laugh, and "is that so?" A brusque manner that didn't suffer fools gladly. Regularly reached across the aisle. Consistently passed his bills with nearly unanimous support. He instinctively knew how to build a majority.

Lived war. Heart always with the soldier. Loyal disciple of Speaker Tip O'Neill and the common man. Soul buddies with twinkles in their eyes. Cussing occasionally. But a good word always. A giant tree has fallen in the forest. A lion is now at rest. How fortunate are we who cherish his friendship and service. We loved him and will deeply miss him. America's defense is the best in the world because Chairman Jack Murtha lived to leave that legacy.

HONORING THE LIFE OF CHAIRMAN JOHN MURTHA

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

Mrs. LOWEY. Madam Speaker, I rise to pay tribute to the life of our dear friend and colleague, Chairman Jack Murtha. Jack was truly an all-American, a committed public servant, decorated veteran of war, small businessman, devoted husband and father and grandfather.

Many have recalled tonight and in recent weeks his service on the front lines of combat. His experience in the military made him a lifelong advocate for our men and women in uniform and a compass for this body when it came to making some of the toughest issues we face, those related to the defense of the United States.

Jack Murtha exercised his power to protect the country he loved, taking seriously the trust of his constituents and his responsibility to the American people.

□ 1900

I learned so much from Jack Murtha. I witnessed firsthand and benefited from his expertise on military strategy, intelligence, and foreign policy. His compassion and commitment to do what was right were equally impressive. On his broad shoulders, he carried a great burden to not only provide for our troops and their security but to ensure that we have made this world a better place, a safer place, including for innocent civilians in war zones and vulnerable societies around the world. And with a heavy heart he regularly gave his time to lift the spirits of men and women recovering from injuries in battles, sharing with them the appreciation of a grateful Nation.

Finally, I would like to note his dedication to a goal we shared: Alleviating cancer, especially those unique to women. He not only worked to help adapt military technology to aid in the treatment of cancer, he and his loving wife, Joyce, have supported initiatives to directly support breast cancer patients and survivors.

Jack was a giant among men. He was tough, he was smart, he was committed to this great institution. His lifelong service to our country will be missed.

Rest in peace, my dear friend. I will miss him.

IN TRIBUTE TO REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. ROTHMAN of New Jersey. Madam Speaker, I've been in Congress now—this is my 14th year.

A lot of people don't know about the quality of some of the people who are here in the Congress. A lot of people in this country find it funny to ridicule elected officials in general—Members of Congress in particular.

I am going to talk to you about a great American, a great human being. But there are many others like him, in a sense, with the patriotism and grace and greatness that he possessed.

Grace, generosity, and greatness: Jack Murtha. This was my fourth year serving on Mr. Murtha's defense subcommittee, and I was wondering how this giant of a man—physical giant, powerful, legislatively powerful man, would accept this guy from Jersey on his subcommittee. But he had such grace. He welcomed me with great civility and gentility. He was tough. He was so generous to me. He was generous to everyone on the committee.

He believed in bipartisanship absolutely, completely and totally, especially when it came to the security of our beloved country, the United States of America. So he took the best ideas from wherever they came—Democrat, Republican, liberal, or conservative. He just wanted what was best for America.

To talk about generosity, he even let me, a New Jersey guy, into the Pennsylvania corner. I was tickled by it. I was honored. For most of my years here when I was not on his subcommittee, I would see him over there in his corner, and I would see the people flocking around him from Pennsylvania and elsewhere, coming as if truly

just to get an audience with just a great man, a great human being, to get advice, to get direction, to get support. He always made you feel as if he was interested in your point of view.

He asked me what books I read. When I told him, he said, I want to read that book, and he did. He made you feel like you were making a contribution.

The greatness of Jack Murtha—aside from being a great husband and father and war hero and devoted representative of the people of Johnstown and his congressional district—part of his greatness was his expectations, his expectations about what it meant to be an American, someone committed to equal justice, equal opportunity, and integrity. His integrity was unquestioned and unquestionable.

I just hope that we remember, Madam Speaker, when we think of this great, gracious, generous, gentle giant, Jack Murtha, we remember not only his expectations for himself, but we remember his expectations for each of us. He had it of his staff, he had it of his committee members, he had it of all of his colleagues of the House that we behave as true American patriots and leave America stronger, freer, more just, and a greater Nation—as great as he believed America to be. He demanded greatness from all of us and that we pass on that legacy for our country, our fellow countrymen and women, for generations to come.

Thank you, Mr. Murtha, for all you have done for us, and we hope to repay all that you have done for us by giving back to our country and creating the kind of country that you fought so hard to make.

We will never forget you, sir. Thank you. God bless you.

IN TRIBUTE TO REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. BRALEY of Iowa. Madam Speaker, some people may wonder why I am standing here tonight, because almost everyone who's spoken before me knew Jack Murtha longer and better than I did.

But one of the things that I want to share with everyone who cares about Jack is my first meeting in his office, because Jack came to the door and greeted me, and as we were walking in, I looked up on the wall of his office and I saw that famous photograph that Joe Rosenthal took of the flag-raising on Iwo Jima, and it was signed by Joe Rosenthal. And I stopped the chairman, and I pointed it out to him, and I told him that my father landed at Iwo Jima the same days that those flags were raised. And in that instant, Jack Murtha became my friend for life.

And we talked about the photograph, and I showed him that over the shoulder of those Marines on Mount Suribachi, you could see down on the shoreline on Green Beach LST–808, which was the landing ship tank that dropped my dad off on Iwo Jima 65 years ago yesterday.

And after that moment, any time I had a question or a concern or a problem that affected the men and women in my district or my State that served this country in uniform, I knew where to go, and I went to Jack Murtha.

And one of the amazing things about how all of this unfolded is Jack and I had talked about this year being the 65th anniversary of the invasion of Iwo Jima, and we talked about going there together. And unfortunately, because of his tragic loss of life, we never had that opportunity.

And I think about that because my dad died 29 years ago, and so many things about him were like Jack. He landed as an 18-year-old farm boy from Iowa, and he saw horrible things in war. Like Jack, he saw one of his good friends vaporized by a shell burst, and I have read the story of that account by the commanding officer of the core artillery that my dad served under, Colonel John Letcher.

One of the things that I did recently was I got a chance to tape the veteran's history interview of my cousin, Richard Braley, who, like my dad, was a Marine and served in Vietnam as an officer, just like Jack Murtha. And one of the things that is so special about people like my dad and my cousin and Jack Murtha is you never forget and you're always faithful.

So when my dad died 29 years ago, one of the most emotional things that happened was when my cousin flew all the way back from Hawaii so that someone would be at that small rural cemetery where he was buried to play taps, and he played it on his trumpet. And then he came up to me at the very end with tears in his eyes, and he said, I wonder if you could help. I brought this with me and I would like to put it in the casket. And I looked down and in his hand he had a small silver medallion with the words ''Semper Fidelis'' on it.

And when I heard these stories about Jack Murtha all afternoon long, one of the other things it reminded me of was how mad my mother used to get when my dad would stop and pick up hitchhikers, because she didn't think it was safe for him to be doing that. And I think my dad and Jack Murtha realized after the hell that they had lived through on the battlefield, that the rest of their lives was gravy.

And as I was listening here to all of these amazing stories about Jack, I was thinking to myself, I wish my father had lived to meet Jack.

And then it suddenly dawned on me that he probably has.

IN TRIBUTE TO JOHN P. MURTHA OF PENNSYLVANIA

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

Ms. EDWARDS of Maryland. Madam Speaker, I rise today to express my condolences to the family of Jack Murtha and to pay tribute to him. As a relatively new Member of this body, I knew Jack Murtha only briefly, but I am so grateful even for that.

One day very early in my tenure here in Congress, I needed some guidance on a military issue, and everyone told me I needed to speak directly with Mr. Murtha. I have to admit I was just a little bit intimidated. It wasn't just his size and the boom of his voice and his upright carriage, but I knew he knew stuff and that he could guide me. But to my great surprise, Mr. Murtha was so wonderful to me. His advice was sage, his generosity was unlimited, his inquiry was precise, and his kindness and gentleness were truly genuine. And from that moment forward, I am honored to have been guided by his good counsel.

I can still see on occasion when I sit in the Speaker's chair a twinkle from his eye, and when it got a little rough, a little bit of a nod from that back corner.

On a personal note, Jack Murtha remembered that I grew up in a military family, and he asked me about my father's and my brother's service and my experiences growing up. And I talked to him about being a candy striper and reading to our service men and women at veterans' hospitals.

And I know that he cared deeply about our servicemembers and about their families and about the special obligation that we owe to them. He understood more than so many the call to service and the importance for political leaders to carry that at the forefront of all of our decisions on questions of war and peace. And his passion was so evident. And I know that my family and all of our servicemembers and their family members are so much better off because of Jack Murtha's service in this body, his service to our Nation, his commitment to them and to their service.

And so I am really grateful, Jack, to have even had just a moment in time with you, and I only hope that in my service here in the United States Congress, I can carry myself forward with the kind of honor and duty and courage with which you served.

□ 1915

REMEMBERING CHAIRMAN JACK MURTHA

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

Mr. JONES. Madam Speaker, my heart ached so much last week when I heard that the chairman, and that's what I called Jack Murtha, Mr. Chairman, that he had passed on. My father served in the Congress for 26 years. I

have been here for 15 years. So that means for 41 years Jack Murtha, Mr. Chairman, has been part of our life, of the Walter Jones family.

I wanted to come to the floor tonight because I could not go to bed knowing that this tribute would be held to honor a great man. I have the privilege of having Camp Lejeune Marine Base and Cherry Point Marine Air Station in the Third District of North Carolina. To the chairman, the Marines were a part of his heart, because he was a marine.

The many times that I would go to that corner that so many people have made reference to, and I would stand in line because I am a Republican, and that didn't matter to him. What mattered to him was that I was a person, like the chairman, who cared. As has been said many times before me tonight, it didn't matter which party you were in. What was good for America, what was good for the military, that's what he stood for.

I would stand and wait my time, and he would say, Walter, what do you need? I would go up and take my turn and say, Mr. Chairman, our marines down in Camp Lejeune are having many problems with PTSD and TBI, and there are not enough psychiatrists to help. This was the last time I spoke to him. He said, Well, why don't we get together. Why don't we have a meeting.

So in the little room downstairs, I guess, on the first floor, the basement, in his room, we would go in, and I would talk to him about the needs of the marines, and the marines loved him. I had a couple in my room tonight when this started and they were saying, We've lost a great friend.

But tonight, for me personally, it was to come down here and say, Mr. Chairman, thank you. Thank you for having the time for a person that's no more than a foot soldier in the Congress. I am talking about myself. It didn't matter who you were, what position you held in the Republican Party or the Democratic Party, it was a matter of his heart. His heart was what can I do to help you. What does your district need? What do your marines need? And he would always find time to talk to you.

So, tonight, I wanted to come down for just a few minutes to say to the family that are here tonight that he was a great man, he was a patriot, and he is the kind of man that America needs to remember with great respect and also to thank him for being a man of humility.

I have always said that Christ was a man of humility, and he got so much accomplished because he was a man of humility. Chairman Murtha was a man of humility. He had great power, but he did not flex the muscles of power. He walked and he worked with humility.

Tonight I close by saying, Mr. Chairman, thank you for taking the time for all of us. You were a man that probably slept well at night because you were overworked, but you are in a better place now, and I am sure God is listening to whatever advice you might have to make America a better country.

I thank you for giving me this time to say thank you and goodbye, and America will miss you, and the Jones family will miss you, also.

HONORING CONGRESSMAN JOHN ''JACK'' MURTHA

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

Ms. CORRINE BROWN of Florida. Madam Speaker, to whom God has given much, much is expected. We are truly blessed that we have had the opportunity to work and serve with Mr. Murtha.

Now, I have my Mr. Murtha story. I was able to get Mr. Murtha to come to my district, Jacksonville, Florida, the Third Congressional District, which is a military district, but I knew that when he came that I would only have one shot. So I wanted to make sure I covered everything he needed to see in my district.

We started out at the marine base, we went to the port, we went to Cecil Field, we went to Shands Hospital where we had the proton beam. Well, they had tried to get a proton beam in his area. I took the doctor in my area, so he was very shocked when he came to Jacksonville and found out that not only did I have the proton beam in Jacksonville, I had his doctor from his area.

Then I had a reception scheduled for him, and, of course, he said, I don't work this hard. You have shown me everything that you want to develop in your district. Of course, the point is, he came, he saw, and we were able to get the services that the military people needed in my area.

I will never forget, when I went to Normandy, and we had a visitors center, and they had just opened the visitors center there. It was a tribute to all of the people that had served and died in Normandy. And they had no place to go, it was all the crosses, but it was a center that Mr. Murtha and the chairman of Appropriations had gotten funded. Yes, it was an earmark, it was an earmark and a tribute to the people that had served this country. I will never forget how proud I was to go to that visitors center. That should be Mr. Murtha's name on that visitors center in Normandy because he did so much.

In closing, I want to say we always sing the song ''God Bless America,'' and, yes, God blessed America because of Mr. Murtha. In closing, the scripture, Paul, he has fought a good fight and he has finished the course, but it is left up to us now to continue to work, to continue to work for our veterans, to continue to work for the military. This is the kind of tribute that we should pay to Mr. Murtha. The work is not finished.

God did bless America with giving us the example of Mr. Murtha.

I was extremely saddened to hear about the passing of my close colleague and dear friend, Congressman John Murtha, Chairman of the Defense Appropriations subcommittee. Elected to the House of Representatives in 1974, Rep. Murtha dedicated his life to serving his country, both in the military and in Congress. A former Marine, he was the first Vietnam combat Veteran elected to Congress.

Ever since I came to Washington, Congressman Murtha and I had always had a very close relationship; in part, because my district, Florida's third, has a strong military presence, and because of our joint efforts in the arena of veterans affairs. Considered by most to be one of the most influential Democrats in the House, he was an expert and a leader on issues concerning Defense, the military, and our nation's veterans. Deeply respected by Republicans and Democrats alike, Congressman Murtha's leadership and institutional knowledge of all aspects of our nation's security policy will be greatly missed, as will his charm and leadership within the Democratic party. My thoughts and prayers go out to the Congressman's wife, Joyce, and the entire Murtha family.

IN TRIBUTE TO REPRESENTATIVE JOHN MURTHA

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

Mr. CAPUANO. Madam Speaker, out of respect for Jack, I will be very brief. Great American, great patriot, but for me he was a friend. He was my buddy.

The truth is, he was my buddy not because we shared a philosophical view—we probably disagreed on more than we agreed on—but because we respected each other. In my world, the best thing you can say about anybody is he didn't forget where he came from. Jack never forgot. He represented working men and women to the utmost. Even when we disagreed, his motivation was pure.

He was the epitome of a politician. He liked helping people. I disdain politicians who think that we won't or that we shouldn't help people. That's what we are here for. Jack knew that from the day he got here to the day he left. He was my friend. I'm going to miss him. I think America will miss him, but I will miss him.

Jack, I will tell you that I am not looking forward to it, but when my day comes I'm going to be looking you up. My hope is that you'll be up there with a whole bunch of the good old boys and hopefully you'll welcome me then as you welcomed me when I got here.

I'm going to miss you, Jack.

IN TRIBUTE TO REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. DRIEHAUS. Madam Speaker, I just wanted to join all of my colleagues as we give our thanks to Jack and Jack's family. I am a new Member of Congress, and I didn't get to know Jack Murtha until the fall of 2008 when I was running for Congress. Jack came down to Cincinnati and we visited the VA hospital. We sat down with some veterans and we sat down with the staff of the VA hospital and started talking about PTSD and the PTSD program that we had in Cincinnati.

Jack had such a sincere interest, and he exuded care for those veterans. He wanted to see that what we were doing in Cincinnati was replicated across the country.

Every time I went to Jack and asked for something, every time I approached him, he was open. As I talked to or as I listened to the Members here tonight, there seems to be an underlying theme: We didn't go and Jack asked us for things. Every time you approached Jack Murtha, he was asking what he could do for you. What a great Congressman. What a great dad.

Jack was the type of guy that in his district, he was always asking that question: What can I do for you? And that's the right question. We had perhaps the greatest challenge that we faced in Cincinnati this year, on a jobs program. It was the Joint Strike Fighter, the competitive engine program.

I happened to be the Congressman for the district for GE—Aviation where that engine is made. We were worried. We were worried that we were going to lose a thousand jobs. Now I know it to be a good program. I know it to be a cost-saving program, but the President, the administration, sometimes thinks a little differently about that program.

So I went to Jack, and I said, Jack, I'm really worried about this. This is a lot of jobs in Cincinnati. I believe this is the right thing to do for the country. Without hesitation, he just looked me in the eye and he said, Steve, don't worry about it, we'll take care of it.

I knew that it was taken care of, because I had Jack's word. He was that type of guy. He had that kind of strength and that kind of authority. Every time you approached him, he was always asking what he could do for you.

This House was a great place because of Jack Murtha, and we are a lesser body because of his loss. I lost my father a little over a year ago, and he was a lot like Jack. I hope the two of them have gotten to know each other since Jack's passing, because he reminded me a lot of my dad.

You will be greatly missed, Jack. I thank your family, and I thank your community for sharing you with us and the American people for so long.

IN TRIBUTE TO REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. STUPAK. Madam Speaker, I will be brief. I have been tied up most of the afternoon and never thought I would have an opportunity to come down and join in this special order to our friend and our colleague, Jack Murtha. I am very pleased and heartened by all of the outpouring of Members who have come down here for the last few hours, and it has also given me an opportunity to say a few things about my friend, Jack Murtha.

Jack would be embarrassed about all of the attention being shown to him tonight, but for those of us who knew and love and respected Jack Murtha, it's been an especially hard week, especially those of us who hang out, as we say, in the Pennsylvania Corner. When we always look on the corner to see Jack there, we see a folded American flag. I guess it's appropriate for Jack's service to his country, not only as a soldier, but also as a Member of this House of Representatives.

If you want to know more about Jack Murtha, his courage, his love for this country, I would urge you to read the book that he wrote, ''From Vietnam to 9/11: On the Front Lines of National Security.'' He really traced the history of this country, policy and military involvement of this country since Vietnam to September 11. It is written by a true patriot who lived it and urged all of us to also see the world and our commitment and our dedication to the men and women in uniform through the eyes of Jack Murtha in a book.

I said it's been a hard week, and I think everything that needs to be said about Jack Murtha has probably been said. I am thankful for having known him, and I am thankful for the opportunity of being able to come down here tonight and just say a few words and to express our love and condolences for Joyce and the entire Murtha family.

IN TRIBUTE TO REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. WELCH. Madam Speaker, one of the qualities, of, I think, a great person is that they don't see themselves as great. They really see themselves as ordinary.

If they value something about themselves, it's that being ordinary allows them to do generous and good things for other people. Jack Murtha was a huge figure for those of us who were in my class, the class of 2006. People may remember that the big debate that year was about the war in Iraq.

I ran as a person who was opposed to that war, and I remember during the campaign being very dispirited wondering where we were going. Then a voice rose out of Washington, and it was a Vietnam veteran, it was a combat decorated marine, it was the chair of the Defense Appropriations Subcommittee, it was a man who had the highest credentials as an advocate for the military. That voice, of course, was Jack Murtha.

□ 1930

And he stood up and he said that this war was wrong. He said that his vote was a mistake.

What attracted me, I think my classmates, and all of my colleagues who have been speaking to this man, Jack Murtha, was his generosity—he was always wondering what could he do for you today—his integrity, but he also had a quality of incredible strength. You gravitated to Jack because he was a strong man, strong in his convictions, strong in his will to carry on, and yet with the strength of a person who had the strength of mind and was willing to experience and analyze what was going on. When he came to his conclusion about Iraq, it was through the eyes of the soldier on the ground in assessing what was going on and why.

Even as he changed his policy position on Iraq, no one was a stronger supporter of the troops getting what they needed to be safe and getting what they needed to be taken care of when they got home. And what he understood and he began to teach this Congress and this country was that if we respect the valor of these men and women who are willing to subordinate their own judgment to take an oath of allegiance to the flag of the Commander in Chief and to report for duty when and where ordered by the President, then Congress and he, Jack Murtha, had a solemn responsibility to do every single thing in his body, mind, heart, and soul to provide those soldiers with a policy that was worthy of the sacrifice they were willing to make.

Like I think everybody here in Congress, when Jack would ask what Jack could do for me, I oftentimes had an answer. But the first time he asked me that question was the first day of my experience here in Congress. I said to Jack, I understand that you go out and visit the troops often at Bethesda and at Walter Reed. And he told me he did. He usually went alone, almost always went alone, always quietly, never any press, never any entourage. I asked him if in the course of my 2 years in Congress sometime he would take me to go with him, and it turned out that the next day he did.

I will never forget going through the Bethesda Naval Hospital with Jack Murtha and seeing how, when he talked to our troops who suffered incredible injuries, he had that same directness, that same pride, that same confidence in engaging these soldiers—What happened? How did it happen? Was it an

IED? Was it trip wire? Was it pressure activated?

He knew everything about the experience of these soldiers. And he wasn't sentimental. He was direct. He was blunt. And in that strength he was warm and encouraging and respectful to the service of those soldiers. It is something only a person with Jack's strength of character could do.

We all know that Jack was endlessly challenged by the press for the so-called earmarks. I remember that he took the criticism as though it was a grain of salt, and when asked, he would hold up a document saying, this is my power. It is in the Constitution, and I take care of my people.

We lost a great man.

IN TRIBUTE TO REPRESENTATIVE JOHN P. MURTHA OF PENNSYLVANIA

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

Mr. COHEN. Madam Speaker, many speakers have preceded me today in speaking about Mr. Murtha—and I will always call him Mr. Murtha because that's how I referred to him here in the House and that's how I will refer to him in memory.

I only had the opportunity to serve with him for 3 years, and I feel certainly inadequate in being the last person to speak, but this man was my friend. He was like a father figure to me.

When I was thinking about running for Congress, I came up here to view Congress and think about it. I wasn't sure if I was going to run or not. I went up in that gallery and I sat on this left side of the aisle, Madam Speaker. I looked at the floor and all the people down here and I thought about whether or not I wanted to run. But coming up here, I was in Rayburn, and I walked up by the train that comes from Rayburn to the Capitol. And this man came up to me, this gentleman—I didn't know him—and he put his arm around me and we talked on the way up and walked all the way down the path. And he said, Young man, this is going to be like 1974. It's going to be a great year for Democrats.

We got up the elevator—and I was so proud to be in this building—and we got to the top and he went to the left where you enter the Speaker's lobby and come onto this floor and I went around the way to this gallery where visitors go. He said, Next time you come up here, I hope you can come in here with me. And it was the next time I got to come in here with him.

I was so proud every time I got to go over—I read about ''Murtha's Corner'' in The New York Times, and then I find myself over there with mostly folks from Pennsylvania, but also the different people that were fond of Mr. Murtha. I was standing there and I thought, I remember reading about Murtha's Corner, now I'm in Murtha's Corner. And I was in his corner and he was in mine. When I needed help for my community and learning about appropriations, defense appropriations and how they could benefit this country and my community and my universities, he helped me. He always helped me. And I helped him when he was in need in his last election.

I made the trip to Johnstown for his funeral, and I am so happy I did and I am happy to be here. I could not let this opportunity pass to speak about this great American. It has been talked about he was a marine and he was the first from Vietnam to be elected—he was part of that class—and he stood up and received the John F. Kennedy Profiles in Courage Award. All is true. But the bottom line is he was a good human being.

''Avuncular'' is a word I learned when I was in high school, uncle-like figure, and I guess he was an uncle-like figure. He was just a grand, good human being. I will miss him. This House will miss him. And I am just fortunate that I passed this way at the same time he did and got to change time with him in life.

Thank you, Jack Murtha.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3961. An act to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration.

IN HONOR OF SERGEANT JEREMIAH WITTMAN

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

Mr. INGLIS. Madam Speaker, I am here to honor one of America's heroes. U.S. Army Sergeant Jeremiah Wittman, age 26, was killed in Afghanistan on Saturday, February 13, 2010. Sergeant Wittman was from Montana. His wife, Karyn, is from the Chesnee/Boiling Springs area of Spartanburg County, South Carolina.

Sergeant Wittman and Karyn have a beautiful 3-year-old daughter named Miah. I got to play in Miah's doll house when I visited her grandparents' home recently. More on that in a minute.

Sergeant Wittman was doing what Americans best do—he was protecting freedom, protecting us, when an improvised explosive device was detonated near him as he was on foot patrol in Zhari province in Afghanistan.

I wonder what it means to a 3-year-old, Madam Speaker, to hear that her daddy is one of our heroes. I said that to Miah the other night at her house. I know she heard it from others because we are very patriotic people in the upstate of South Carolina, Madam Speaker. Still, I wonder what it means to a 3-year-old.

Miah's mom, Karyn, knows what it means. She knew what it meant when representatives of the U.S. Army showed up at her parents' front door dressed in ''Class A's.'' She knows that this Saturday an Army officer will kneel beside her and say that the President of the United States and a grateful Nation stand in appreciation of the honorable and faithful service of her husband, Jeremy.

Devoted spouses like Karyn and self-sacrificing parents like Sergeant Wittman's know that service means the possibility of not coming home safe and sound, the possibility that the last full measure of devotion will be given on a battlefield far from home.

The people of the upstate of South Carolina and Montana know what it means. It means that we must live our lives in gratitude to America's best; the ones who come home unscathed, the ones who come home with scars, and the ones who come home in solemn honor.

But what does it mean to Miah? Well, Madam Speaker, if you will indulge me, I will try to say what it means in a letter to Miah.

Dear Miah, that's an awesome dollhouse you have in the living room at your grandma and grandpa's house. Thank you for letting me see the cool things you've got in there. I like the computer a lot, and the lights over the door to your doll tent are awesome. Thank you for showing me the pictures of you and your daddy.

I guess you've noticed by now that grown-ups like us cry sometimes when we hear you say that your daddy is in heaven. It's not that we're not happy for him. You know better than us grown-ups that your daddy can trust God to dry every tear. It's just that we're overwhelmed by the gift you've given. You and your mom and your grandparents have given the rest of us the gift of your dad's life.

He was in Afghanistan protecting you and your mom mostly, but he was also there protecting me and my family and all American families. So if you see a lot of people crying, it's the only way we know to show how much we care, how much your dad's sacrifice, how much your sacrifice means to us.

A sergeant like your dad told me recently, ''When I see good things at risk, I'm inclined to fight for it. I guess that's why I'm in the Army.'' That's Sergeant Mennell from Texas. I don't know if Sergeant Mennell knew your dad, but I bet that's what your dad thought too. Your dad saw your future at risk, Miah, so he went to fight for you and for me and for all of us.

When I was leaving your house the other night, there was a beautiful

moon hanging low in the west over the mountains you can see from the top of your driveway. It was glowing orange and looked like a bowl that could hold something. I thought of those pictures of you and your dad. I thought of God holding the moon up there, holding your dad, holding you and your mom, holding this whole big world. It seemed like the moon was doing something else, Miah. It seemed that it was holding the hope of a lot of tomorrows. You see, as the moon falls, the sun rises on a new day. When your dad fell, it was so that you could have many more tomorrows in peace and freedom.

When I see a waxing moon glowing orange and hanging low in the west, stretching its light from South Carolina to that farm your dad loved in Montana, I'll think of you, Miah, and I'll think of your dad, and I'll pray for many tomorrows for you and for the country your dad loved.

Thank you, Miah.

Your friend, Bob.

P.S. Keep an eye on those dinosaurs in your doll tent. You know they scare me.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2701, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010, WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 111–419) on the resolution (H. Res. 1105) providing for consideration of the bill (H.R. 2701) to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

POLITICAL DRAMA AT THE WHITE HOUSE

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

Mr. AKIN. Madam Speaker, this evening we stand just before a day—tomorrow—of great political drama.

I am trained as an engineer, and not much of an expert on drama or plays, but I have at least one theory about acting in plays and drama, and that is, usually it's very good or very bad.

□ 1945

As we take a look at the drama that faces people who will be watching tomorrow, the question tonight is: What drama are they liable to watch? Are they going to watch the Olympics, the last part of the Olympics, which will be very exciting, or the political drama of 6 hours of discussions or debate? I think there will be more drama that will take place tomorrow on the health care bill.

Now, we have been talking about this health care bill for more than a year, and the subject has had a tendency to get a little bit stale, but tomorrow is an attempt to revive that discussion. One of the things that is required in good drama is the theme, or the major topic, and the different parts of that drama have to be believable. I think that's one of the things that may make the drama tomorrow more difficult in terms of its success. Let's just talk about what really is believable.

The President claimed about a year or so ago—I guess it was in a State of the Union message—that this new health care was going to save money and that it wouldn't cost us a dime. Well, I guess that's true. It's going to cost more like $1 trillion. Is that believable?

The President repeatedly said that Republicans had no ideas. Yet, in Baltimore, just a month or two ago, he said, not that the Republicans had no ideas, but that he'd read a good number of the bills that had been introduced by the Republicans. Is that believable?

The President also pledged transparency and openness in the whole process of developing a health care bill. What we have seen has been that bills are developed behind closed doors, and for tomorrow, the bill that has been created behind closed doors is going to be revealed only for 24 hours. So is the transparency-openness pledge believable?

In Baltimore, the President talked about the fact that he has a lot of economic experts scoring the bill and taking a look at whether it works financially or not, whether or not the different component parts come together and whether or not it achieves the economic results that he wants. Yet, when the Congressional Budget Office, which is supposedly and to a large degree politically neutral, scored the bill, they said that the Republican bill actually reduces premiums by 10 percent while the Democrat bill makes them more expensive.

Then there is a question about whether or not the meeting tomorrow, which is attempting to be billed as bipartisan and bipartisanship—does that really make sense? Because, if you write a bill behind closed doors, unveiling it at the last minute, within 24 hours, and then demand that the Republicans agree to it, is that really bipartisanship? I wonder if that is believable.

The President promised us that the bill that he was going to present when he was in Baltimore would include tort reform. Yet the bill that we have seen did the exact opposite. The States that had already enacted tort reform were forbidden from using those tort reform laws. So, in effect, it would reverse tort reform and would go in the exact opposite direction. Is that believable?

We were told that the special deals have been taken out. Yet, in a few minutes, we will take a look at those special deals which remain in the bill.

Then last of all—and it is the one that I find most amazing—the Republicans are obstructionists. I find that hard to believe how anybody could even repeat that, let alone believe it. I wish it were true. I sorely wish it were true. The Republicans here in this Chamber, my Republican colleagues, are 40 votes short of a majority. There is nothing that we could obstruct if our lives depended on it. The Democrats could lose 20 voters and still pass anything that they choose to pass. So how we could be, as Republicans, obstructionists, again, seems very hard to pass the old sniff test.

Now, it seems that the President, in setting up this great drama of 6 hours of televised discussion on health care, has made a major assumption, which is, if people just knew what was in his bill, they would really like it. Probably the opposite is true. What we have seen is our constituents, my constituents, have called in, and they have read portions of these bills. They know what is in the bill. Guess what? They don't like it. In fact, this bill that is being proposed is ugly. It's so ugly it has to sneak up on a glass of water just to get a drink. Well, let's take a look specifically at why it is that we are going to have this great health care political drama tomorrow, and yet we are not really passing the believable test. Let's just take a look to see if anything has really changed at all.

First of all, this bill imposes $500 billion in Medicare cuts. That's a whole lot of money. Five hundred billion dollars is going to be taken out of Medicare. The old Democrat bill took $500 billion out of Medicare. The President's new bill takes $500 billion out of Medicare. The Republican alternative takes nothing out of Medicare. Well, nothing seems to have changed here.

This bill enacts job-killing tax hikes and government regulations, costing hundreds of billions of dollars. In the old Democrat bill, yes, that was true for it. The President's new plan, which is online, likewise enacts a lot of job-killing tax hikes and government regulations that cost billions of dollars. Yet the Republican alternative does not.

It spends $1 trillion on a government takeover of the health care system. This is something that people are really conscious of. This is a government takeover of an entire sector of the U.S. economy—$1 trillion. I think that number is short because it's not counting the unfunded mandates to States. The old Democrat bill does that. The President's new bill does it. The Republican

bill does not. So what has changed here?

It benefits trial lawyers by failing to enact tort reform. Well, the old Democrat bill did not have any real tort reform in it. In fact, it went the opposite way. The President's new bill is not different. The Republican alternative is the opposite. It protects backroom deals with Washington special interests. We've been told these deals have been taken out, but they've not been taken out. The old bill had those special deals. The new bill does. The Republican bill does not.

It puts government bureaucrats in charge of personal health care decisions. This is something a lot of Americans are very concerned with. It's bad enough if some insurance company is getting between you and your doctor, but it's even worse if a government bureaucrat does because, if you don't like the insurance company, you can change companies. You can't change governments. So, again, the new proposal is no different than the Democrat proposal, and the Republicans are not doing that.

It breaks President Obama's pledge not to raise taxes on those who make less than $250,000. Well, certainly, the old Democrat bill did raise taxes on people making less than $250,000. The new proposal still taxes people more who make less than $250,000. The Republican proposal does not.

It forces individuals to purchase government-approved health insurance. That's something that people are pretty sensitive to—the government's telling you that you must buy health insurance. The old Democrat bill does that. The President's proposal still does it. Republicans reject that idea. It forces employers to choose government-approved health insurance or they are going to have to pay a new tax. So the government is going to tell you what kind of insurance you have got to purchase or you are going to have to pay a new kind of tax. The old Democrat bill did that. What the President is proposing continues to do it. The Republicans don't.

So is this great drama that is supposed to take place tomorrow really something new? I'm not so sure that it is in that it seems to follow the same pattern.

Now, if we take a look at the proposal, the proposal is still pretty much the same thing. Here is a picture of what this bill looks like. You have got a 2,000-page bill, and it is pretty complicated. To try and read 2,000 pages in 24 hours is quite an undertaking. The only advantage that some of us have is that it's so much like the other proposals that it is not really that different. You don't have to read all 2,000 pages of it to know what's in there.

As I mentioned, the President makes an assumption, which is that, if people just understood the bill better—now that's obviously something that he could talk about for 6 hours, I think, if it's that complicated. If people just understood the bill better, they would like it.

What I would propose is that the President is mistaken in that regard. What I would like to talk about for just a few minutes are the people who are not going to like this bill when they see what it has got in it, because there are a lot of these groups of Americans, various groups, and I will tell you which groups they are and why they're not going to like this bill. I think, the more that this bill is talked about and the more that people read it and see how it works, what's going to happen is that you're going to see these numbers change.

Right now, in the public opinion of health care, 58 percent of voters nationwide oppose the Obama health care reform plan; 58 percent oppose it; 50 percent of voters strongly oppose the plan, and 78 percent of voters expect the plan to cost more than projected. So it's not very popular now. The question is: If they see 6 more hours of drama, are they going to like the plan any more? I would suggest that there are all kinds of groups of people who are not going to like this plan. Let me talk to you about some of those groups of people.

The first is a category that I am increasingly putting myself in, and that's the group of people who are older. I just hit 62 years old, so I'm feeling a little bit older, and older people aren't going to like this plan for a couple of reasons:

The first reason they won't like it is because of something we mentioned just a minute ago, which is that this is going to take $500 billion out of Medicare. Now, when I was first getting started in politics years ago, the Democrats always accused Republicans of taking money away from Medicare. Yet, ironically, this bill which is being proposed by the President is taking $500 billion out of Medicare. So, if you're an older person, you probably won't like it for that reason.

If you are an older person, there is a bigger and more serious reason that you will not like this bill. If you are older, you will go to see the doctor more. If you go to see the doctor more, what this bill is going to do is it is going to harm the quality of American health care. It will harm the quality. This has been the experience of every nation that has had its government take over health care. It has also been the experience of two States—Massachusetts and Tennessee—which have had their State governments try to take over health care. In every one of those experiences, the quality of health care has gone down, and the cost of health care has gone up.

So, if you are an older person and if you see the doctor a little bit more, first of all, you're not going to like that great big cut to Medicare. Second of all, the quality of your health care is going to go down.

Now let's say, instead of being older, you're young. Certainly you would like the bill if the older people don't like it. No. Wrong. If you're young, you won't like the bill because this bill forces you to pay for government insurance which is written the way the government says you have to buy the insurance. If you don't buy that insurance, you're going to be penalized. You're going to have to pay a penalty.

If you are a young person, if you like freedom and if you don't want the government telling you what kind of insurance to buy or if you have to buy insurance, you won't like this bill for those reasons.

The next group of people that will probably not like this bill is the group of people who are married. What this bill does to married people is it says, if you're married, you're going to have to pay more money for your health insurance than if you're single. So there is a marriage penalty in this bill.

In other words, if you have two individuals who are both making the same amount of money—say you have two individuals making $32,000 a year. If you take a look at what those two single individuals have to pay, because they get all the subsidies under this bill, they are going to have to pay a lot less than the two people, as husband and wife, who are making the same amount of money. Those people will have to pay $2,000 more. So this bill contains, for that example, $2,000 of penalties for people who are married. So, if you're married, you probably won't like this bill.

Now, if you happen to fall in the category of being pro-life, or at least if you fall in the category of not wanting government money, your tax money, to pay for abortions, you won't like this bill because the bill that's being proposed is the Senate bill, and it allows in these insurance policies, which are government funded, for people to get abortions through the policies.

□ 2000

So there is not a strict and clean line in the bill the way the House version of the bill was passed which says that there is absolutely no using these government policies to do abortions. So if you're pro-life, you will not like the Senate version of this bill, and you will hear people who are involved in the pro-life cause standing and arguing vigorously that the Senate version is unacceptable.

Now, if you own a small business, you're not going to like this bill. If you own a small business, this is going to cause you trouble in a number of different ways. First of all, you're going to be taxed a tremendous amount of money to help pay for this whole thing. If you think about small business in America as being people who have 500 employees or less, that is, 80 percent of the jobs in America are small business people, those companies are not going to like this bill, the people that run those companies, because of the fact that it requires those companies, first of all, to pay a great deal of increased

taxes to help pay for the trillion-plus-dollar bill in this package, but also it requires those companies to buy the insurance that the government tells them they have to buy, and if even one employee doesn't like it, then there are going to be additional penalties. This is going to cost small businessmen a lot of taxes and a lot of regulations and red tape. If you're a small businessman, you're not going to like this bill.

If you're unemployed, you won't like this bill because this bill is going to cost jobs. It will make it harder for you to get your next job. How is it that this bill will make it harder for you to get your job? We'll get into that in a little bit more detail later, but the basic elements of creating jobs in our economy is allowing the small businesses to create the jobs by creating an environment in the small business that makes jobs.

How does that happen? Well, one, you don't want to tax the guy that owns the business because you want him to put his money back into the business to expand it, to buy new equipment, to put a new wing on the building in order to create more jobs. This bill does the exact opposite. It buries the small business owner in taxes and red tape and a lot of unknown costs for health care. When you do that, it's going to make the small business less likely to hire people, and, therefore, if you're unemployed, it's going to make it a lot harder to get a job because this is a job-killing proposal. So if you are an unemployed person, this is not something that you want to see passing right away.

The people in America who own health insurance are not going to like this bill. If you own health insurance, what this bill is going to do is it's going to charge you more money for your health insurance to help pay for the people who haven't bought any health insurance. So this bill is going to cost you more for the health insurance if you own health insurance.

Let's just run through the list of who wouldn't like this bill. If you're older, you won't like the bill. If you're young, you won't like the bill. If you're married, you won't like the bill. If you're pro-life, you won't like the bill. If you're a small business owner, you won't like the bill. And if you're somebody looking to get a job from that small business owner, you still won't like the bill. Then also if you have health insurance, you're not going to like the bill either. So there's a whole lot of people that just naturally when they take a look at what all of this complicated maze means to them, those are all people who aren't going to like this proposal.

Is that all there are who won't like the proposal? Oh, no. There are a lot of other people who won't like the proposal as well. Let's take a look at some of the others.

If you are concerned about illegal immigration, you won't like the bill because this bill provides no guarantee that illegal immigrants cannot come in and get health care and get the subsidies to health care that will have to be paid for by the American public and all the people who are taxed to pay for this measure. So if you're concerned about illegal immigrants coming and getting a free ride in terms of government-paid-for health care, this bill does not contain the protections. If you're worried about illegal immigrants coming into this country and getting subsidized health care, this bill does that and there is no protection against it.

If you're one of 36 States who do not want the Federal Government to mandate that everybody in your State has to buy government-certified health care, if you want the people in your State to have some sovereignty, if you care about State sovereignty and you want the people of your State to make their own decisions how they'll spend their money and you don't want the Federal Government to force the people in your State to pay for insurance, then this bill is something that you don't want. And there are 36 different States, out of 50, 36 States that have legislation that is in the process of moving in those States essentially banning the Federal Government from requiring citizens of those States to have to buy health insurance product. So if you're one of those 36 States where the legislators are saying we don't want the Federal Government butting into our business, telling our citizens that they have to buy insurance, then this is something that you certainly wouldn't want.

The other people that might not like this, and this probably goes almost without saying, are people who make a fair amount of money. People who make a fair amount of money are going to be taxed very heavily in a number of different regards to try to help subsidize this new health insurance plan. If you're well-to-do and you don't like huge taxes, then you certainly are not going to like this plan.

If you happen to be somebody that's concerned with doing things in a just way, that is, if you're concerned that every State gets the same deal, that there are no special deals in this legislation, you're not going to like it. We've been told that the special deals have been taken out. But, unfortunately, that's not true. Here are some of the special deals in this proposal that are still there:

One of them is what they call Louisiana Purchase No. 2. And that is something for, I believe, MARY LANDRIEU out in Louisiana. The cost is $300 million, and it provides a special assignment for States recovering from a major disaster. It's written just to include this one State, and it's $300 million to add to the State Medicaid program. So that's a $300 million special deal for Louisiana.

How about for Connecticut? Yes, there is a special deal for a Connecticut hospital, $100 million, which appears to apply only to some Connecticut hospitals.

There's millions of Medicaid dollars for Vermont and Massachusetts, that's $1.1 billion total. It helps with the Medicaid program and gives about $600 million to Vermont; Massachusetts $500 million, for those States.

Cash for New Jersey drug companies. New Jersey's getting a deal. The cost is $1 billion for special deals for New Jersey.

Extra cash for union health care plans. This is a deal of $5 billion. It says that there's going to be a reinsurance program to defray the medical costs of union members. So that's $5 billion for union member health care costs.

Are there other special deals? Yes, in fact, there are. We don't have to pay any Medicare Advantage. Remember how I said this bill is going to cut $500 billion from Medicare. But it won't cut Medicare Advantage for people in Florida. So if you're in Florida, you won't get that Medicare Advantage cut; the other States will.

Special funding for coal miners in Montana. Yes, it does. The cost, we're not quite sure what that is, but it's Medicare coverage for workers exposed to environmental health hazards.

There is a fee exemption for politically connected insurers, in Michigan apparently. Higher Medicare payments for North Dakota providers. Hawaii hospitals are getting exempt from the cuts. And longshoremen are exempt from tax or health plans. There is a whole series of special deals. So if you don't like special deals for various States that your State doesn't get, you won't like this plan.

I think one of the groups, and this is probably not exactly small that doesn't like this plan, would be doctors. Why would that be? Well, what does a doctor do? Why does a doctor become a doctor? Many of them will say that they really wanted to take care of people and help them with their health care. Why, then, would a doctor dislike this plan other than its great complexity?

Well, one of the things that's extremely frustrating to doctors, as well as patients, is something that we don't like but has happened, and that is you allow an insurance company to come between a doctor and a patient. I think most people consider that doctor-patient relation—certainly my Republican colleagues would say if there's anything in health care that should be principally sacred, it would be the fact that the doctor and the patient need to make the final decisions on health care. That's something that we don't want to have disturbed, and if an insurance company is allowed to come between the doctor and the patient, we don't like that. We don't want somebody that's not a doctor getting involved in medical decisions.

Unfortunately, in versions of this plan, what you have is you have insurance companies who are allowed to

make medical decisions and are not held legally accountable for the outcome of those decisions. That's bad enough, but a doctor particularly won't like this plan because, instead of an insurance company, which you can always change or at least you have some chance to change, you have no chance to change the Federal Government if the Federal Government is the one that is coming between you and your doctor. So if you're a doctor, a lot of doctors do not like this plan. In fact, there have been a dozen different Republican doctors on the floor over the period of the last year talking about the fact that they don't like this plan. They think it's terrible, and that should tell us something. There is another constituent group that does not like the plan.

There's another group of people who will not like this plan, I happen to fall into this group, and it's one that you might not think of off the top of your head, and that would be people who have cancer. Why would people who have cancer not like this plan? Well, one of the things that has been done is to take a look at the survival rate in people who have cancer in various countries. What you find in England is the survival rate is much, much lower than the survival rate in America. The survival rate of cancer patients in Canada is lower than the survival rate of cancer patients in America. So if America, then, changes our medical system to be more like England or Canada, we have to assume also that then the survival rate of cancer patients is going to be less. It's going to be harder to try to survive cancer when you have a State-run system doing cancer. So there's cancer patients.

The list does seem to be getting a little bit long. And is it really such a good idea on this great drama that's supposed to take place tomorrow, in competition, by the way, with the Olympics, this great political drama, is the assumption really true that if the American people see this bill more closely, they're going to love it more, or is it possible that in this drama, the real villain in the drama is this very bill itself? Is it possible that all of these different groups of Americans really do have it right?

□ 2015

Let's run through this again. This is a pretty significant list as I go through it. I would like you to ask yourself, do I fall into that group myself? Is this something that is going to affect me in a bad way? Certainly a great majority of Americans believe it will hurt them, and it is not a bill that they want. But let's take a look at who these people are that wouldn't like it.

First of all, if you're old. Then if you're young. If you're married. If you're pro-life. If you're a small business owner. If you're unemployed. If you have health insurance. If you're concerned about illegal immigration, and they are getting health insurance. If you are one of the many States who are concerned with a government mandate that every citizen has to purchase government-certified health care. If you are well-to-do. If you are those who don't like the special deals that some States get and other ones don't get. If you are a doctor, you are not going to like this plan. And if you care about the doctor-patient relationship, you particularly won't like this plan. And if you happen to be a person with cancer, you're not going to like this plan. But then again, you may be dead, so you might not care as much.

And then you have other people, leaders who are in State government, governors, legislators, various senators or house members in State government. Why would they not like this plan? Well, here, this is another group that has a pretty good concern; and that is the trillion-dollar bill that has been attached to this plan, that trillion-dollar bill is not the full cost of the plan. A lot of cost is going to be passed down to the various States. So this plan contains unfunded mandates on the various States.

Now, a lot of States, because of the recession and the high level of unemployment, their State revenues are very tight. In fact, some of them are in the red. And if we, through this plan, produce something that first of all is going to create more unemployment and going to cost more money to the various States, people who have to manage the State budget, unlike the Federal budget, many States have a balanced budget requirement. And so if you keep adding more costs to those States, they are going to have to cut other things on the State budget in order to pay for this big government-run program. The exact numbers on what unfunded mandates this includes are not entirely known, particularly when a plan is being released and you have 24 hours for different economic experts to look at it.

Now, is it possible that the reason that this bill, after it has been put together behind closed doors, is trotted out for only 24 hours, that the reason for that is people really don't want a good economic look at what this is going to cost? I hope that is not the case, but it is very hard in 24 hours for the Congressional Budget Office to come up and say, well, here is what it is really going to cost.

And even if you take their best estimates, which I think they try, in the past their estimates of Medicare were way, way off by a factor of two or three or as much as seven times off. Those numbers tend to be much lower than what the real costs of the programs are. So there are a lot of people in various State leaderships that are not going to like this plan.

People who do not like red tape. I don't think we need explain that one very much. If you don't like red tape, you are not going to like this. This is a simplified version of a 2,000-page bill. And every one of these new boxes is some government creation to try to make this thing work, because the government is taking over, you have to remember, almost a fifth of the U.S. economy. And when they do that, they have got to create a lot of bureaucrats and boxes and flow charts and all that kind of stuff. If you don't like red tape, you are not going to like this bill.

And then people who don't trust the government to run the economy. Well, I think there are a lot of people who think that the government is not proving to be very efficient in the way it runs a lot of things. Even the premise behind this bill is, well, we've got a problem with Medicare, so we're going to take the money out of Medicare, and Medicare isn't working quite right, so therefore what we need to do is to replace Medicare with the government taking everything over. There is something about that logic.

If you take a look at the overall finances of the U.S. Government, what you find is it is not a big problem with earmarks, the real big problem is with three entitlement programs which are growing because of the demographics in our country and because of the nature of those entitlement programs. The entitlement programs are Social Security, Medicare, and Medicaid. Two of those are medical entitlements, Medicare and Medicaid. Both of those are growing to the point that over time, and people disagree exactly what year it happens, but they bust the entire Federal budget. They grow so big, they balloon so large that you can't derive taxes any more, and they basically shut out all of the money that Congressmen are supposed to spend on different things like defense or all other kinds of government programs. So these things, like a cancer, are growing so big that they threaten to break the Federal budget and the Federal piggy bank. In fact, right now those three programs, Medicare, Medicaid, Social Security, have almost gotten to the point where they are taking half of the disposable budget of the country.

So now we have got Medicare and Medicaid out of control. And so what are we going to do? Oh, well, we're going to have the government take over all of health care. That doesn't seem to be a credible solution to that problem.

This is an article from the New York Times. ''As a result,'' this is talking about this great meeting, this great political drama that is supposed to take place tomorrow, ''Democrats now are considering a plan to use a parliamentary maneuver called budget reconciliation to attach changes to the Senate health care legislation as a budget measure which cannot be filibustered and requires only a simple majority for passage in the Senate.''

Now, does this look like a bipartisan effort to cooperate on health care? I don't think so. What this is is a call by the captain of the ship to go to ramming speed, to take the bill which a majority of Americans do not support

and to try to jam it through. Now, there can be a nice political drama tomorrow, but is it really working in a cooperative spirit to go behind closed doors, put together a bill, pop it out within 24 hours, and then demand that the Republicans all go along with it? Is that really working in a bipartisan way or is it really just more of my way or the highway? I will leave that to your decision. But that is what the New York Times, not exactly a conservative oracle, is saying this is the plan, is to take the bill that went through the Senate, which a great majority of Americans do not support, and push it through anyway.

This is where the public is now. Fifty-eight percent of voters nationwide oppose this health care reform plan. Will 6 hours of drama tomorrow change that? Is this going to change? Is it really going to be drama, or does it lack credibility? I would suggest that when I take a good look at this, I think people may yawn and say, this sure looks like the same old same old, we haven't seen very much changing, and the Olympics is a whole lot more exciting.

As I started by saying, I have observed things about drama and plays. And the things that I have observed are that they tend to be either really good or really bad and boring. And so that is my concern about the high level of drama tomorrow.

Now, one of the connections that I think we need to make, and it is something that has been made, is the connection to something that I think is on the minds of Americans maybe more than a government-run health care program, and that is the problem of unemployment. I would like to connect these two because these two do connect together.

I see that I am joined by my good friend from Georgia. JACK, were you interested in joining our discussion?

Mr. KINGSTON. I certainly am. I wanted to ask the gentleman from Missouri something.

Mr. AKIN. I yield.

Mr. KINGSTON. As I understand it, this theater tomorrow, this summit at the White House about health care, I want to make sure I understand, is it health care only? Certainly they're going to talk about jobs. We had the stimulus program when the unemployment was less than 8 percent. It is now over 10 percent. The stimulus program, which was over $800 billion, was spent over a year ago, it's deficit spending, it's borrowed money, and it was supposed to keep unemployment from going to 8 percent, now it's up to 10 percent. Certainly tomorrow at the White House the topic isn't going to be more spending for a government health care program. Certainly they do plan to talk about jobs.

Am I correct or incorrect?

Mr. AKIN. What you just said, Congressman KINGSTON, I would wish that that were true. I think the American public is concerned about unemployment. Somebody made the comment that unemployment is an important issue, but it really becomes critical when you are the one that is unemployed. Yet my understanding is that this drama, this political drama, is basically rehashing the same old play, which is, here we go again with this health care situation.

You made the comment that they had, I think it was a $787 billion, some people called it a stimulus plan.

Mr. KINGSTON. If the gentleman would yield a second.

Mr. AKIN. I do yield.

Mr. KINGSTON. Actually, as price tags tend to expand after legislation is passed in Washington, the Obama stimulus plan was $787 billion, but they revised it now another $75 billion, so it is well over $800 billion.

Mr. AKIN. Over $800 billion?

Mr. KINGSTON. Yes.

Mr. AKIN. Some of us stood here and said, This is not going to work. I was standing on this floor a year ago and I said, This stimulus plan will not work. It wasn't because some of us were such geniuses. It is because we had learned from Henry Morgenthau back in the 1930s, who stood before the House Ways and Means Committee and said, we tried this idea of excessive government spending, money that we didn't have, and we tried to spend money like mad. This is the guy who was Little Lord Keynes's buddy, he was FDR's Secretary of the Treasury, and he said, it doesn't work.

Now, I don't think you had to be a rocket scientist to figure that when you and your family are in trouble economically that what you do is don't go spending money like mad. If spending money was going to give us a good economy, boy, we would have a great economy right now.

Mr. KINGSTON. I'm glad you brought that up. Because as you know, as Republicans we overspent.

Mr. AKIN. We did.

Mr. KINGSTON. We spent way too much money. Now, I will point out this year's deficit alone at $1.4 trillion is more deficit than George Bush had in the entire 8 years. Let me repeat that. Eight years of Bush is still less debt than 1 year of President Obama.

Mr. AKIN. Let me just toss that number a different way. George Bush's worst debt year was with a Nancy Pelosi Congress, and that was about $400-something billion. I agree with you that was too much debt. And that was '08. You go to '09 with President Obama, and his very first year was $1.4 trillion, three times more than President Bush. And then they want to say, yeah, but it's Bush's fault. Wait a minute.

Mr. KINGSTON. Actually, also there might be something to it if the President had not been Senator Obama. Because Senator Obama voted for every single appropriations bill; and the Bush stimulus program in May of '08, about $168 billion; July of '08, Fannie Mae, $200 billion; Bear Stearns, $29 billion; AIG, $85 billion going to $140 billion, done by the Federal Reserve.

Mr. AKIN. What you are saying, Congressman KINGSTON, a billion here and a billion there, that starts to add up, doesn't it?

Mr. KINGSTON. It absolutely does. But the thing I am saying on this Federal Reserve spending is that neither Senator nor President Obama has spoken out against that. He embraced the TARP bill, the Wall Street bailout, with both arms. That is $700 billion. Then there was $410 billion for the omnibus spending bill. And then, as you pointed out, $800 billion for the stimulus bill. Now he is proposing $950 billion for this government health care plan. And yet he still says that he wants to reduce spending.

I'm on the Agriculture Committee. We had a hearing today with the Secretary. I think the Secretary is a very decent Secretary. But the proposal of the administration is to freeze agricultural spending. Agricultural spending has gone up 26 percent since 2007. Yeah, you have a run on the bank——

Mr. AKIN. Wait a minute. This is one of these ones just like we are talking about in that health care plan. This doesn't compute, does it? We say we are going to freeze something that we just raised by over 25 percent in a year or two. That's incredible.

Mr. KINGSTON. There is no end to this. Today at the Business Roundtable the President said something like, I am a staunch capitalist, I believe in the capitalist system. And yet let's look at the last record. There is not a government regulation that this administration hasn't embraced and said, look, we need the government to do this.

Mr. AKIN. Government to do more and more things. You know, if we go back to that whole thing you are talking about on that supposedly stimulus bill, this is such basic stuff, and yet somehow the administration doesn't understand it. We have a lot of unemployment, we have a whole lot of Americans that would like to get jobs, and so the question is what can the government do to try to get those jobs going? And I have made a list of all the wrong things to do. These are the things that are job killers.

Now, if you take a look at what are the things that kill jobs, first thing off the bat, we score the stimulus bill you are talking about, the health care bill that is supposed to be the centerpiece of this great political drama tomorrow, and it is supposed to be something new, and they are going to open the box and it is going to be the same old ugly thing that was there before. What is it that kills jobs? This stuff is not complicated. Anybody who ran a lemonade stand as a kid is going to understand what these things are.

The first thing is economic uncertainty. If a guy that owns a business, because you think all these jobs, most of them are in small businesses, 500 or less, that is 80 percent of the jobs in America, if you take a look at those

guys and if you say, hey, I don't know what in the world the future is going to bring, you are going to go, boy, I don't want to take any risks because we just don't know what's going to happen. You've got this huge tax for the socialized medicine bill, you've got this global warming deal, which is a tax on energy, tons of red tape that go along with it, a lot of uncertainty.

Mr. KINGSTON. The gentleman is right. Investment money is going to sit on the sidelines until the government sets the rules and keeps them. Businesses can adjust. Even if the rules are a bit excessive and high and unreasonable, business will adjust to it. But if you keep changing it, they can't adjust. So of course investment capital is going to sit on the sidelines. That's just economic common sense.

Mr. AKIN. So the first thing is if you take a look at what we have been doing, we have injected a whole lot of uncertainty into the system to begin with.

Mr. KINGSTON. With more to come. More to come. As you said, cap-and-trade, but you did not mention the banking bill. This is another financial takeover. And you know, I haven't seen a lot of wisdom behind the government-knows-best mentality of the Pelosi House.

Mr. AKIN. Congressman KINGSTON, I am glad you mentioned that, because when I take a look at some of this uncertainty, I think of three nets that are being thrown over free enterprise. The first was a net on everything that has to do with energy. And as an engineer, energy is very pervasive in everything.

□ 2030

So, if the government is regulating energy all over, that's, as you say, a government takeover of a type.

The next net is over all of health care. But the third net most people don't know about, and I'm very thankful that you brought that up, and that is the net over all the financial transactions. Now, you put those three nets in place and you don't have very much of free enterprise anymore, because the government is tinkering and tampering and adjusting and fiddling around with the rules in all of those areas. And that really builds that economic uncertainty, and that's a job killer.

Mr. KINGSTON. Well, you know, it's interesting the way the Pelosi-Reid-Obama triumvirate always is coming back to government and Washington solutions because, as I see it, looking at the government performance, Republican or Democrat, it hasn't been effective. Just think about Washington, D.C., two weeks ago, shut down because of snow. Now, you know it might be worth 48 hours, but this was a town where, essentially, everybody in the government took off for a week.

Now, it's interesting. My son works in Washington, D.C., in the private sector. Somehow, his roads were open. And I saw that over and over again, the private sector people could get to work 2 weeks ago in the snow. Not every day, not every hour, because it was a bad storm. But for government employees——

Mr. AKIN. My friend, you've mentioned that snow. I heard—I wish you could tell me if it's true. I heard that the snow was going to continue unless Al Gore said ''uncle.'' Is that true?

Mr. KINGSTON. Well, let's just say the global warming campaign has been a great disappointment except for the Vice President's pocketbooks. He's done real well on this financially.

But, you know, you think about the government efficiency. Think about Katrina. What was that, $120 billion to rebuild New Orleans? I would think Democrats and Republicans share the blame. Government did not do a very good job.

Think about the war in Afghanistan, now going into its eighth year. We have not executed the war very well.

Think about Social Security. It's going broke. I look at my 24-year-old son and your children. They are not going to get it. That's a mathematical reality. That's not political spin. It runs out of money in 2030, period. Now, we could tinker around the edges and postpone that maybe a year or two, but it needs working.

Mr. AKIN. Now, one of my favorites there is the Department of Energy. Did you know why the Department of Energy was originally created? Quiz time.

Mr. KINGSTON. I have a feeling it was Jimmy Carter trying to get us off Middle East oil. Is that——

Mr. AKIN. You go to the head of the class. The whole purpose of the Department of Energy was to make sure we're not dependent on foreign oil.

Mr. KINGSTON. And I think, at the time the export or the import amount from the Middle East was maybe 50 to 60 percent, or, no, excuse me. It was about 35 percent, and now it's up to the 50 or 60 level.

Mr. AKIN. Of course the Department has grown tremendously as we've become more dependent on Middle Eastern oil. What was it they said? The compassion of the IRS and the efficiency of the post office or whatever.

Mr. KINGSTON. Yes. But let's talk about the Department of Education. Boy, I tell you what. School systems have really done well, haven't they, since the Department of Education. I mean, there's no way you could argue that.

Mr. AKIN. Did you know there was a report that was done on the Department of Education? I think it was during the days of Ronald Reagan. Their conclusion in the report was that if a foreign country had done to America what the Department of Education had done to education, we would consider it an act of war. I thought that was kind of an interesting report that we're paying money for a department that has done what would be considered an act of war.

Mr. KINGSTON. Well, you know, the old expression, I'm from the government, I'm here to help. I haven't found a school board or a school board member back home or a teacher in the classroom who can't spend the money more efficiently and more effectively because, you know, there's an old Loretta Lynn song about raising children. One needs a spanking, one needs a hugging, and one's on his way. And you know, that's the situation with education. It's the teacher in the classroom who knows how to teach Johnny, not some bureaucrat on the sixth floor three offices down at the Department of Education in Washington, D.C.

Well, you know, what about Medicare?

Now, Medicare's a very important health care program for our seniors—my mom's on it and I think your parents are—and yet it's going broke. $36 trillion in unfunded assets? What are we doing to senior citizens? The program is going broke, and yet we have our head in the sand.

Mr. AKIN. What I was just talking about here on the floor a little bit with this great drama that's supposed to take place tomorrow, the question is, you know, drama, there's supposed to be some element of it being credible. A science fiction movie, it's a cheesy movie if it's unbelievable. And yet what's going on tomorrow is we're going to take $500 billion out of Medicare.

Now, and then the idea is that after people watch this 6-hour great debate, that they're going to be happy and they're going to like the bill when they find that they've taken $600 billion or $500 billion out of Medicare. And I'm thinking, I'm not sure that people aren't going to just say that bill is ugly.

Mr. KINGSTON. You know, there's a joke about the guy asks his friend, he says, Why don't you ever read the Bible? And he says, Well, you know what? I just don't understand all that stuff that's in there. And the guy replies and says, Well, I don't think it's the part that you don't understand that is bothering you.

And the President says over and over again, I guess this is maybe his background in, you know, Ivy League schools or, you know, the circles that run around in the Northeast that, well, the American people, bless their heart, they just don't understand this health care bill. You know, what has he given, 50 speeches? I don't know. I know I had 19 town hall meetings. The people understand the health care bill. If there's one certainty in the whole debate it is that the American people understand the Obama-Pelosi health care bill.

Mr. AKIN. That's what I find is almost comical in this whole thing because, you know, you take a look at the American public—and this is my 10th year in the U.S. Congress, and I've got constituents that are reading this stuff, and they know the bill. And you can't tell me these people don't know what's in this bill. People know what's in it, and they don't like it. They think it's ugly

Mr. KINGSTON. You know, the town meetings that you and I had, the town meetings where you did not have to have an invitation, the town meetings where you invited Democrats, Republicans, Tea Party members, independents, out-of-towners, nonregistered voters, the kind of town meeting where you had open mikes and anybody could stand up and say anything they wanted——

Mr. AKIN. Those meetings seemed to have been pretty exciting this last year.

Mr. KINGSTON. Well, you know what I found though? The people were reading the bill. And I've got to say this to the people who supported the bill, they found some good stuff in there and said to me, you ought to support that. And there were some things in there that I think are worthy of supporting.

But I still think it's very difficult to make a bad bill a better bill. I think it would be better to start all over, pick and choose some ideas from Republicans. You don't have to start at Ground Zero as if you've never heard of health care reform ideas, but you should start all over in this legislation.

What if this was the Pelosi-Boehner-Reid-McConnell bill? What a different thing. And I think that's what we want to do. We want to work with the Democrats.

We were shut out of the stimulus bill. We were shut out of the omnibus bill. We've been shut out of health care. Maybe tomorrow isn't just theater. Maybe it's the turning point. I hope that it is. You know, I'd like to see something get done. But a lot of times, you know, these things are just positioning.

Mr. AKIN. Let me just respond to what you're saying because maybe I'm being too pessimistic about this. But let's take a look at the format. The format is we're going to huddle behind closed doors. We're going to produce a bill. You get 24 hours to look at it, and then we want you to come and tell us how much you like it. That doesn't seem to me to be sort of an open the kimono and let's work together as a team. It's more like, if you don't support me, then my way or the highway.

Mr. KINGSTON. Well, let me ask you this now. Who gets to look at it in 24 hours and when? Who is this group of people and when?

Mr. AKIN. Well, I'm not exactly sure of that. My understanding was the bill was supposed to be released 24 hours from the day that they're talking about it, and the only thing I'd seen earlier this morning was outlines, and the outlines, of course, the Congressional Budget Office can't score it. And it appears to be very much the same thing as the Senate health care bill is everything we can tell. We've been told that there aren't special deals in it, and yet as we take a look at it, we find that there are. Somebody managed to take a look at the ones that were there before and a lot of them are still there. The Louisiana Purchase is still in it, as I understand.

Mr. KINGSTON. I understand there's some special interests for Louisiana, Connecticut, Michigan, and those are the deals we know about because those were a little bit more visible. But you can imagine all the other oddball stuff in there, the hospital wings that will be built here and there.

Mr. AKIN. Hospital's in—my understanding is the hospital is in Connecticut; Medicaid dollars, Vermont, Massachusetts, New Jersey; drug companies; extra cash for union health care plans. I have a list of some of these. Montana coal miners. Florida seniors don't have to pay that Medicare Advantage. You know, Medicare's being cut, but you don't if you're a Florida senior. It's not cut there, but in other States it is. If you're a union guy, it's not. But if you aren't, you know. And then there's North Dakota Medicare payments. Hawaii hospitals are exempt from the cuts. And longshoremen. I didn't know about longshoremen. But there are, of course a bunch of these special deals in the program.

Mr. KINGSTON. So special interest groups have clearly been on the inside of this and their fingerprints are all over the health care bill.

Mr. AKIN. Yeah, exactly. That's the situation.

And I guess the other thing is, I think the American public is worried about this job thing. Excessive taxation is a big deal, because if you own a small business and you tax that guy really heavily, the small business owner is not going to have any money to invest in new equipment or new plants and things, so heavy taxation on a small business owner is going to be a job killer. And yet, this bill on medicine puts a heavy, heavy tax on small business owners. So, in that sense, it's a job-killing bill.

Mr. KINGSTON. And, you know, not to mention there will be a new tax on individuals because, you know, when you're forced to buy something, that is a tax. And so there would be less money for customers of small businesses on a discretionary basis. Whether they're buying hamburgers or clothes or tires or whatever, they'll have less of it in their pocket.

Mr. AKIN. Did you know that there are supposedly 36—I know Missouri is one of them. That's my home State. There are 36 States that have legislation moving exempting the States from having to be required to purchase health care when the government demands that everybody has to buy federally approved health care? There are 36 separate States moving legislation to stop that. That doesn't say something's popular.

Mr. KINGSTON. Well, again, the American people do understand this Pelosi-Obama-Reid health care package. And, you know, I think one of the great examples of government efficiency we saw in August, Cash for Clunkers. It was a program, actually pretty simple program. You turn in your old gas guzzler, you trade it in for a more fuel-efficient car. We give you a tax credit. They take your old car, put it out to pasture and put it down. And, you know, it's kind of an easy thing to follow. Stimulates the car dealerships.

Well, that program was supposed to last from August to November. It was a $1 billion program. I think they hired 100 employees, came back a week later and said they needed 1,100 employees and $3 billion. And even doing that, Cash for Clunkers was dead and defunct within a matter of weeks.

So you now feel that that same government that brought us Cash for Clunkers, a $3 billion program, is going to be able to run a $2 trillion health care bill.

Mr. AKIN. Well, I thank you, gentleman, for joining me today. And the question at the beginning was is this going to be a credible theatrical performance tomorrow or are people just going to tune in to the Olympics. I guess we'll see tomorrow what's going to really happen, but I'm not sure there's much new, from what we can see about what's being proposed from the White House.

□ 2045

HEALTH CARE

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

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you here on the floor, and I appreciate the dialogue that came from my colleagues the previous hour discussing this health care issue that has so consumed this Nation.

And we are here now on the eve of the 6-hour meeting that is scheduled at Blair House that the President has invited both Democrats and Republican leadership to join. And Mr. Speaker, I came to the floor to talk about this issue and help to put it in a perspective so that as the American people watch what's going to happen tomorrow, they understand it in perhaps a better perspective than they might otherwise.

Now, I would lay it out this way. I think there are two points, Mr. Speaker, that need to be addressed by Democrats. And these are significant points of vulnerability where there has been a persistent criticism from the public. They have made the point that of all of the agonizing national debate that's taken place on health care, that the Democrats have first of all shut Republicans out. They shut Republican out of the room, shut them out of the negotiations, shut them out of the office.

And the second thing is, the Democrats haven't had transparency. They've been cooking up these health care deals in secret. And as this thing unfolded, some time in early September was the last time that I am aware of that a Republican senator or

a House Member was sitting in a room talking with Democrat leadership about how to come about this health care policy.

From that time forward, it became secret back-door meetings, and it became secret deals and combinations of secret deals that brought about in the end the American people were repulsed by what they saw. They were repulsed by the special deals that came down. They were repulsed by the idea that if you live in Nebraska, if you live in Florida, if you live in Maine or Vermont, you've got a different deal a different cost.

I would interrupt what I am about to say and yield to the gentleman, Mr. KINGSTON.

Mr. KINGSTON. I appreciate the gentleman yielding.

I was looking at the Tea Party list of priorities, which they call a contract from America, which you know, this is a grassroots deal, just popped up. And there are even different Tea Party groups. But they have nationally been surveying their members on what their priorities are.

The number one priority is to cut the size of the Federal Government spending. The number two priority, would the gentleman from Iowa like to guess? The number two priority of all of these thousands of participants on a grassroots' basis is, do not put something in the bill that doesn't belong in the bill.

So as the gentleman talks about these secret deals to the senator in Nebraska, the senator from Florida, the senator from Louisiana, people don't like that at all. If it's such a great deal for the good people of Nebraska, maybe it ought to go for the rest of the 49 States and maybe it doesn't need to be brokered in some smoke-filled back room.

So what you're saying is very important. It can't be understated. If this bill is such a great deal, why do you need to have all of those special interest side deals in order to get the votes from Nebraska or from Florida or from Louisiana?

Mr. KING of Iowa. Reclaiming my time, of course that is what it takes to get the votes for a bad deal. That is what the American people know, that's what the Tea Party patriots know.

I would go further. When you start out and you have a good idea. Let's say it's a stand-alone idea. What about the idea of putting an end to the lawsuit abuse in America? We've passed that legislation out of this House, and Republicans were in charge, and we sent it over to the Senate, where it was blocked in the Senate. But it was a clear, concise idea that makes everybody whole that has been actually the victim, perhaps, of medical malpractice. Three hundred million people, some things are going to go wrong. It allows for them to cover all of their health care costs, allows for someone who is a victim to receive their loss and income. And actually it established pain and suffering and an additional $250,000 on top of that. And in Texas, there's three different increments that go to three-quarters of a million, but that's it.

Trial lawyers don't walk away with pockets full of money. It's a very simple concept that can stand alone, that the American people can look at and see that it isn't a special deal.

But if you put an idea out for health care and then you have to patch something else to it, and something else to it, and when you get this whole toxic stew that I've talked about so many times, and you still can't sell that to get 218 votes in the House or 60 votes in the Senate, and you have to go out and get a special deal in Nebraska to get a vote from the Nebraska senator and a special deal in Florida to exempt Florida from Medicare Advantage cuts, or if you go up and you build a bunch of public health clinics in Vermont out of that deal, or Louisiana—the list goes on and on and on.

The American people know that when you're buying votes with their taxpayer dollars, they reject that concept, Mr. Speaker. The American people know that if you have a good idea, it should stand alone, it should be able to be passed on its merits and move through the House of Representatives on an up-or-down vote so everybody knows what's going on.

We're not at that point. This is a conglomeration of a bill, and this is frustrating to me that we can't put a good idea out in front of the American people and vote up or down and go on to the next idea.

Mr. AKIN. When you start talking about what you're saying, the American public does not like these special deals—and special deals a lot of times happen in the darkness, in little dark corners, like the kind of places where cockroaches breed. And these special deals, people aren't real proud of them. And so they're done behind closed doors. They're done when people can't see it. And when they get all put together in a great big piece of legislation, those special deals are rolled out in a big hurry. Hurry up and look at it so that we can pass it before anybody reads it too closely because sometimes they're disguised in little ways so you won't see them.

So the public, they're starting to get wise to this. The idea is that if the public sees more of this health care bill they'll like it. No. If you see something that's ugly, the more you look at it, the uglier it's going to get. And when you put all of these special deals in it, then people have a tendency to want to bring it out in a hurry and don't bother to look at it too closely.

If some used car salesman says, I want you to get this car but don't bother to look under the hood, you're kind of thinking, I wonder if there is an engine under there or not. And that is what's going on. And the public is wise, and they're sick of this special deal kind of stuff.

And we do this in a lot of different ways. We'll put two things together that would never pass, and then we pass it on a regular basis.

I don't mean to step on toes, but the farm bill is an example of that. You take the farm bill, and there is a farm piece and there is all of this food stamp stuff, and neither one could pass on their own. But you put the two together, and you can pass something. And I think the public is starting to stay, Time out. We're tired of this because we can't afford it any more.

Mr. KING of Iowa. Reclaiming my time, I will bring this back to that, that time they had 51 votes counted in the Senate on the health care bill. I went back to the Midwest, and I usually fly into Omaha. Well, Omaha, of course, is a central metropolitan area for the State of Nebraska.

And as I went in, I did a whole number of meetings around on both sides of the river, the Nebraska and the Iowa side, did a lot of media around there and took phone calls on a call-in radio show. And this was the day before the agreement was made for the Cornhusker kickback. And the senator from Nebraska was the linchpin that could put together, hold together the entire health care package up or down. If the senator from Nebraska decides to pull the pin, the whole thing falls apart.

So the day before, people were calling in and they understood that the Nebraska senator held the future of this socialized medicine bill in his hand. They didn't know what was going to happen. In the middle of the night, there was some kind of agreement that got made. There were accommodations that were made. All of a sudden there was an announcement that HARRY REID had 60 votes and he could break the filibuster in the Senate and they could pass the socialized medicine bill. And what does it include?

First of all, it includes a provision that will allow for Federal funding of abortion, and it exempted Nebraska from the increased costs in Medicaid in perpetuity. Now, no one should ever sign a document or make a pledge for anything in perpetuity. Actually perpetuity probably lasts longer than forever.

I yield to the gentleman from Georgia.

Mr. KINGSTON. I can't imagine what the HARRY REID U.S. Senate was thinking. How stupid do they think the American people are? How callous can they be to the sense of fair play? What kind of almost thuggery is it when you do that to people? It just doesn't sound right for the taxpayers all over the country to have to float the bill for one State. And as the gentleman from Missouri pointed out, there was also a special interest deal for Florida.

And I think the presumption was people are Christmas shopping, they're getting ready to have their families in. They're not paying attention. Let's just push through whatever we can.

Well, a funny thing happened in Massachusetts. They were apparently paying attention, and I think that that has woke up a lot of people around here.

We have a group in the House called Blue Dog Democrats. I am not exactly sure what a Blue Dog is because they certainly vote like the yellow dog Democrats from what I can understand. But I don't think there is any distinction except there is a lot of Democrats right now who are saying, Hey, I saw what happened in Massachusetts, and if this bill comes back, I think I am going to vote ''no'' and maybe make up for my ''yes'' vote previously.

Mr. AKIN. I just have a question if I could jump in.

Tomorrow there is going to be this big drama, I guess, 6-hour—maybe it will be pretty boring. I don't know. But it's supposed to be dramatic. Six hours of people sitting around a table talking about this same old health care plan basically.

And there were different people that were chosen to go to participate in this. And I am just wondering if you know—I know there were a few Republicans invited, but were there any Democrats that voted ''no'' on the bill that were invited to participate? Do you know of any?

Mr. KING of Iowa. Reclaiming my time, I can't name a single one. I haven't looked over the list of the Democrats but that would be quite unusual. It would be unusual to see Democrats in there negotiating a vote of ''no'' on the bill. I'd be very surprised if there was even a token Democrat that voted no.

Mr. KINGSTON. How many Democrats did vote ''no'' in the House, do you remember? It was 220. You need 218. So there were two votes over 218.

Mr. KING of Iowa. I would guess that was nearly 32 Democrats that voted ''no.'' It would be in that neighborhood somewhere.

Mr. KINGSTON. You would think they would probably have something to say at the White House. They would be a little more moderate and have some good productive contribution to make.

Mr. KING of Iowa. Wouldn't you want to know what their objections are? I would think that would be important.

BART STUPAK on the pro-life amendment worked very closely with SMITH and Pennsylvania Representative JOE PITTS. They worked very hard to pass, and they received 64 votes on a pro-life amendment to that.

I understand that BART STUPAK is not on this negotiation either. And what we're seeing come out and what came out of the Senate, it looks to me like the package that's there—there's going to be a bill that still funds abortion and compels Americans to fund abortions through their premiums in one fashion or another, or brokers them through an exchange, and also one that funds illegals. And those are two things that are completely egregious to me, to think we compel taxpayers to do that.

Mr. AKIN. I got another question for you.

After tomorrow, after this 6 hours of drama, do you think people are going to say that you and I and my good friend Congressman KINGSTON, do you think they're going to say that we're obstructionists? I am trying to figure out—I wish it were true that we could be obstructionists, because if we were obstructionists, that meant if we vote ''no,'' it would stop the bill. But they have got 40 more votes than we do, so how in the world could we be obstructionists?

I need some help on that because the logic seems to be very hard for me to grasp.

Mr. KING of Iowa. There are a lot of things that get spun around this thing, as you know in this town. It's been, Republicans are blocking the bill. We have no capability of doing that, obviously, not from a vote-count standpoint, when the Speaker of the House has 40 votes to burn, a 40-vote advantage, and they're sitting behind closed doors cooking up a closed-door deal. They can't get enough Democrats to pass 218 votes here. I don't think today they can bring a bill to the floor and get it passed.

This is about, though, the public criticism of shutting Republicans out and about this bill being negotiated in secret. Those are the two things that the President seeks to resolve tomorrow. Six hours of C–SPAN time, and then he'll say, Listen, we're doing what I promised we'd do. We're negotiating this bill out in public, and, by the way, we're doing it with Republicans, so who can complain?

Well, for me, it controls the entire format.

Here's the real centerpiece that I don't think anybody has articulated at this point yet.

The President of the United States, as Senator Obama and as candidate for President, said to the Iranians, If you just simply unclench your fist, we will offer our hand. We will negotiate with the people that we have been at odds with since 1979, the Iranians and Ahmadinejad—with no preconditions whatsoever—and offer an open hand to the guy with the clenched fist.

And yet the President of the United States refuses to come to the negotiating table with Republicans with a blank slate. The President has insisted and demanded upon preconditions. He has to have his conditions of his bill that has failed, his concepts that have failed. And he also puts out there the threat that they have been putting together behind closed doors, too, of reconciliation. Reconciliation is what President Obama and others called ''the nuclear option'' when it was Republicans looking at a 51-vote opportunity on the other side of the aisle.

□ 2100

In fact, this is posted today on the Web site, biggovernment.com. This is a statement of our President, and we think about reconciliation. This is what blows things up in the Senate. This is the nuclear option. This is how they would circumvent the anticipated and very legitimate legislative process by taking a Senate version of the bill that sits over here on the calendar of the House, pass amendments to the Senate version of the bill in the Senate called a reconciliation package, then both bills would be here on our calendar.

Then the House, under the direction of Speaker PELOSI, would take up the fixes that the House Members have insisted on which is called the reconciliation package, pass it first, and then pass the Senate version of the bill, message them both to the White House where the President would sign them in the proper sequence, one bill amending the first bill. Then this would be, as far as I know, the first time in history that the White House has replaced a legitimate conference committee, which would be the Members of the House and the Senate, Democrats and Republicans, having an open dialogue about resolving the differences. And what did President Obama say about this reconciliation nuclear option?

Here is what he said: Passing a bill with 51 Senate votes is an arrogant power grab against the Founders' intent. That's what President Obama said. The point is, he said that in 2005, not 2010.

Mr. KINGSTON. Well, I would say if the gentleman is saying it's an arrogant power grab, he certainly is accurate, and that's apparently the model that he wants to have. The gentleman may also have quotes from Senator JOE BIDEN, who denounced using this nuclear option, as well as HARRY REID.

When they were in the minority, I think they were right. When we were in the majority, I think we were wrong. I don't think you should do that. I think that it is a desperation thing. And if you can't get the requisite number of votes, maybe you need to start all over on the legislation. But you do have very strong, unequivocal statements by Senator Obama, candidate Obama, Senator REID, Senator BIDEN and yet total hypocrisy, that's what it is, is hypocrisy at this point.

The gentleman was talking about needing Republican votes. They do not need a Republican vote to stop anything or to pass anything. It's not just with this $950 billion health care bill; they could pass a jobs bill without a Republican vote.

They could pass the tax-and-trade bill without it. They could get out of Iraq or Afghanistan without a single Republican vote. They could have energy independence without a Republican vote. They could pass that card check, that special interest bill for unions, without a Republican vote.

Why aren't they doing it? I just think that they had no idea that America was not asleep at the wheel. They found out in Massachusetts, and they're scared to death, hey, this

might not be an isolated election. So we are seeing a lot of backpedaling right now. It's hilarious when you see some of these people, like the Senator from Nebraska who had the special interest deal on the health care bill. Now, he is all over this jobs bill. Oh, too much spending. You've got a $950 billion health care bill which he supports and a $15 billion jobs bill that he is against because of the spending.

Only in this town.

Mr. KING of Iowa. Let me suggest to the gentleman from Georgia that the problem is, no, Republicans can't stop anything that Democrats decide they want to get together and vote for because of the margin of 40 votes to burn here in the House, 19 in the Senate.

But the problem is, Democrats can't agree among Democrats on what they want to push for policy. If they can't find the votes among all of these extra Democrats that there are and they still point their finger back over at Republicans and say, you guys, you wouldn't vote for the stimulus package, you won't support a health care, most of us wouldn't support that abysmal cap and tax, that cap and trade bill that, by the way, passed off the floor of this House. A bill that didn't exist passed off the floor of the House of Representatives and a bill that didn't exist was messaged to the United States Senate. That's another part of this component.

Mr. KINGSTON. If the gentleman will yield quickly, a bill that was still being amended at 3:30 a.m. before we started debating it at 9 a.m. in the morning, a bill which you could say truthfully in your heart of hearts believe that not one single Member in the United States House of Representatives had read.

Mr. KING of Iowa. To the gentleman, in fact, I can say that with a factual knowledge, and I don't have to ask any of the 435 Members, did you read this bill, because I was here on the floor that night when we suspended the debate for 35 minutes to resolve, where is the bill? I mean, sometimes they will say to us, you don't have any ideas, where are your bills?

We have a lot of bills. We have 40 some bills that we've filed on health care. But we said, where is the bill that we are debating? This is actually LOUIE GOHMERT from Texas that deserves a lot of credit, and JOE BARTON also was very good on that night. So we looked down here at the well. The bill didn't exist. There was an old bill. There was an amendment that had never been integrated. Actually, even the amendment wasn't here. It wasn't findable.

So what was going on was we were debating a bill that didn't exist, so it was impossible for anyone to have read a bill that didn't exist. That bill was then passed and messaged to the United States Senate. A bill that didn't exist was passed and messaged to the Senate, so no one read the bill.

I yield to the gentleman from Missouri.

Mr. AKIN. The funny thing is, a number of us have served in legislative bodies for a number of years. One of the rules has always been the public never pays any attention to the process of how we go about passing legislation. You can complain about different stuff like we had a bill that was done here, where we had a choice of voting for either a big tax increase or voting for a cost of living and we had to take a choice between the two. The process or the procedure there is unfair. Anyway, we got this bill here, 300 pages of amendments passed at 3 o'clock in the morning, and we're here on the floor. The Congressman from Texas, he has sort of the sense of humor of Eeyore, and he just asks in this plaintive kind of way, is it normal procedure that we have a copy of the bill on the floor when we are going to be debating a bill?

There is muttering and talking to the Parliamentarian and he says yes, indeed there is supposed to be a copy of the bill on the floor. So he comes back a couple of minutes later and says, I've been wandering around the Chamber and I'm having trouble finding it. Is it north, south, east or west or something like that. Pretty soon the Speaker starts laughing and we go back and forth about four times in a row. Finally he says, I've come up to the podium, and the place where you say there is a copy of the bill there isn't because the Clerk is still trying to stick 300 pages of amendments in this bill. So here we are passing a bill that doesn't even exist.

And the funny thing was—I guess it wasn't funny—the public was paying attention. They understood that we passed a massive tax increase on energy that's affecting very many small people who have to pay that power bill. Everybody who flips a light switch is going to get taxed, along with a massive amount of red tape. And it was done, they thought, in the secret and in the dark of night. But the public was paying attention, and, in my opinion, that started a lot of that Tea Party movement, that very event that we actually were standing here on the floor for.

Mr. KINGSTON. Let me just ask both of you, should Republicans take over this House, would you be willing to change the House rules to say any bill has to be posted online at least 72 hours before it's voted on; would you support that?

Mr. AKIN. I would support that in a heartbeat. If you're not proud enough of it to put it out there, then you shouldn't be sticking it out there at all.

Mr. KING of Iowa. Not only would I support that, but I would go further, and I would have a lot more bills come down here under an open rule. I would sign the pledge and the oath that every appropriations bill would be open rule.

Mr. KINGSTON. I am an appropriator, and I can tell you, generally all appropriation bills have been open rule. There have been a few rare occasions when we were in the majority that we had maybe a modified rule or a closed rule, but traditionally open rules were always the case on appropriations bills. When all else failed, at least there were appropriation bills to allow the minority party an opportunity to put in some amendments.

But the iron hand of the oppressive majority has closed down that system. It's not about Republicans versus Democrats; it's about 435 people who have been elected by 600,000 people to represent their views in their Nation's capital.

Mr. KING of Iowa. Another thing that happens around this town is the hole in the wall gang, the Rules Committee, sits up here on the third floor in a place where you very seldom see any press from the room. And only on one occasion have I seen a television camera in the room. They control what gets debated here on the floor and what is voted on on the floor. The last time we had a legitimate open rule on our appropriations process was in the spring of 2007. That was when Speaker PELOSI first came in and got the gavel before this draconian shutdown of the open debate process.

In that spring period of time through the appropriations process, I was successful in getting passed—not those I introduced—but those that actually passed this floor, nine amendments. As far as I know, that's the most amendments of any Member of Congress during that period of time.

Yet I have taken dozens of amendments up to the Rules Committee and submitted them, and I can't think of a single one that they ever allowed to be debated. That process has to change. That's got to be out in the open. We need the Rules Committee on television, out front, meeting in a published hour so that they can be watched by the press and the public and then, additionally, while we are here watching what goes on with the rules and the shutdown of what's going on, we need more sunlight.

Mr. KINGSTON. If the gentleman would yield, I want to tell you one of my rules experiences at the Rules Committee. Now, remember, the Rules Committee, when the bill is passed by, say, the Agriculture or the Education or the Energy Committee, it goes to the Rules Committee and they determine how long it's going to be debated and what amendments will be allowed and what amendments won't be allowed. That's why they're called rules. Four hundred thirty-five Members, you've got to have rules, strict rules, or you won't get anything done.

I was going to the Rules Committee. I had submitted an amendment, and I was waiting my turn to present my amendment to the Rules Committee for their consideration. And a staffer wrote me an e-mail and said, Your amendment has been rejected. Do you still want to sit in here and present it?

I said, Well, how could it be rejected? I haven't presented it and until I present it they can't reject it.

And my staffer said, I have some inside information. I've got a friend on the majority. Your amendment is not on the list.

I said, Well, what list?

The list of amendments they're going to allow.

I said, Well, this is just a total farce. You have Members of Congress sitting in a crowded room waiting their turn to present an amendment, and the Rules Committee behind closed doors had already decided which ones they were going to take and not take.

Mr. KING of Iowa. Because they got a list from the Speaker as to what amendments to approve and which ones not to approve. And on this health care bill, this monstrosity here, I was before the Rules Committee at 1:30 in the morning, I offered 13 separate amendments, to ask to be able to debate them and get a vote on to approve this health care bill. And I was chastised by members of the Rules Committee because I had wasted paper and staff time to have them drafted up, because I should have known, as the gentleman from Georgia apparently should have known, that they weren't going to allow these amendments, so why should I try.

But any Congress that can pass a bill that doesn't exist, debate a bill that doesn't exist here, pass a bill that doesn't exist here, and message that bill to the United States Senate, I suppose can also put out a list and say, we're going to reject the amendment that you never offered in advance.

Another thing that happens in this Congress—and it happened on this floor today—is committee action. And the committee action that goes on is designed to take this language apart, take a look at it, examine the ramifications, hold hearings, get educated, evaluate the impact of legislation and then bring that legislation through the committee and amend it and perfect the legislation when you have a debate where you can focus it with people that are experts on the subject matter.

The legislation that came through today on this insurance across State lines political bill that came to the floor, had been amended in the Judiciary Committee with an amendment by DAN LUNGREN, passed by a majority of members, Republicans and Democrats voting for the Lungren amendment. The bill passed out of the Judiciary Committee, and on its way to the Rules Committee it magically became a different bill without the Lungren amendment language in the bill. That's what we voted on on the motion to recommit today.

So we have committee action that's a farce, as well as the Rules Committee which is a farce, as well as the debate here on the floor of the House, which is a farce, when we are debating a bill that doesn't exist. That's just three egregious things that need to change in a Republican-run Congress. I will stand to change all of those with anybody else that will stand with me.

Mr. KINGSTON. You know what's interesting about that bill, though, is dispute that strange route that it went for the strange product that wasn't passed by the committee, we still had a decent debate on it and passed the bill.

The importance of that is if you want open debate on health care, we now have an example that shows, hey, you know what, it works. This was a health insurance related piece of legislation. We had an open debate on it. It didn't have special deals for Nebraska or Louisiana. It did not have a big price tag on it. It had some Republicans against it, some Republicans for it, and the thing passed.

□ 2115

Oh, hey, what about doing that on everything else about health care? Wouldn't that be an interesting experiment in democracy?

Mr. KING of Iowa. Well, I hope, as I reclaim, that what we see tomorrow is more than a dog and pony show. I hope it's not just a show that's designed to resolve the two things that seem to be giving Democrats and the President heartburn, which are the very legitimate point that they have shut Republicans out of the process and the very legitimate point that the President has promised that negotiations will take place on C–SPAN. That seems to be what is going to be presented tomorrow.

But I'm going to say again, the requirement of preconditions that the President wants to negotiate from his position—and by the way, he doesn't have a bill yet that I know of. He just has platitudes and bullet points that are out there. But to start with his platitudes and bullet points—and maybe we'll be guessing at the amorphous combination of the Senate and the House version of this, that all needs to go off of the table, and this threat of reconciliation, the nuclear option needs to be renounced and rejected by the President of the United States.

I would be just as happy if he would just read his 2005 statement verbatim tomorrow. He should start out the meeting and say, Well, all in good faith, I want to talk about health care with you on C–SPAN. I know I made a campaign oath. It probably wasn't the best promise, but it was good political leverage and good theater at the time, so I'm going to try to follow through on that so that I can resolve some of the criticism. And by the way, I know we've shut you Republicans out of this thing. We've done so since clear back last September, but I'm going to open this up at least so we can have the semblance of negotiations take place, and to demonstrate my good faith—and then read from the 2005 statement.

Then the President should say, ''Passing a bill with 51 Senate votes is an arrogant power grab against the Founders' intent.'' That's what the President should say tomorrow. That's actually what the President said in 2005. That would demonstrate good faith. And then we would have a blank slate, a blank piece of paper, however you want to characterize it, except Republicans have their package bill. I'm suggesting we should concede that too. Slide that off the side of the table, really start with a blank slate, and then bring up, as the gentleman from Georgia said, a stand-alone idea can be debated and it be perfected and it can be passed. We need to do it with tort reform in a real way that takes the money out of the pockets of the trial lawyers as opposed to taking it out of the pockets of our senior citizens.

The gentleman from Missouri.

Mr. AKIN. It seems like, to me, what you're talking about is, in a way you are defining something that's bipartisan, where people in good faith come to the table, they all have some ideas, they talk about them and say, Well, I don't like this part of your idea, and they say, Well, I don't like this part. Well, what part can we all agree to and put together?

Now, my understanding is the way the President is defining bipartisanship tomorrow is that what he's going to do is go behind closed doors, come up with a legislative product, then give the Republicans the chance to agree with him. And Republicans aren't allowed to bring anything they have in, but he has something that he has concocted. He's going to kind of spring it on them and say, Now are you going to go along with me?

Is that your concept of bipartisanship?

Mr. KING of Iowa. You know, I think they have been sitting up behind closed doors cooking up this reconciliation/nuclear option. They've been doing this for over a month. Senator HARKIN announced, after SCOTT BROWN won the election in Massachusetts—again, thank you, Massachusetts, Mr. Speaker—announced that they had already reached an agreement within a couple of days before SCOTT BROWN was elected in Massachusetts. This is a continuation of it, and the strategy was what I've described with reconciliation/nuclear option.

So, yes, they have worked behind closed doors. They are operating in secret, and they have cooked up this and they are going to say take it or leave it.

Mr. AKIN. Is that bipartisanship or is that ramming full speed ahead? That's what it seems like to me.

Mr. KING of Iowa. Well, it's truly not bipartisanship; it's only the show of bipartisanship designed for two things: so they can say, Well, we've negotiated with Republicans on C–SPAN. We didn't shut them out. That's really it.

The gentleman from Georgia.

Mr. KINGSTON. You know, the amazing thing is, I was in the State legislature, and we had, out of 180 members, 26 Republicans, and yet the philosophies were still reflective of the State of Georgia. You could roughly say one-third of the people were fairly liberal, one-third of the people were

fairly conservative, and then another third were either right of center or left of center. And so you had to have the legislative deliberations to get a bill in order to get, for the Georgia House, 91 votes to pass something. So I assumed that Congress would be the same way, where you would have some people from really safe hard left, hard right districts, and then people maybe from more swing districts where it's reflective of the American people, but every bill would have the mark of both parties on it.

I was shocked when I came here and saw that it's full speed ahead with the majority party. I think that's why, when we took over the House in the 104th Congress, we had open rules. And you know what, we strayed from that. That was one reason the people threw us out and put the Democrats in. But now they've seen the Democrats, and they are sick and tired of this partisan stuff. They do want open debate on C–SPAN and amendments.

So you know what would really be nice? If Mr. AKIN offers an amendment and I vote against it and you vote for it—and it's okay to vote against your party members. And maybe you prefer a Democrat one. But you know, once you understand something, you have the opportunity to debate it, as we did today, you get a better bipartisan product.

And so today, I don't know if the Speaker is in town, but perhaps she saw that and said, Oh, my goodness, so this is the way democracy works? Maybe we should do this on another dozen bills and cobble together a collection of health care reforms. Because it seems to me somewhere in the town meetings that's what people were saying; fix what's broken. Don't throw out the entire system. And if you did some one-shot bills, you could have targeted health care reform without some $950 billion government takeover of health care.

Mr. KING of Iowa. Well, reclaiming my time, I would label the gentleman from Georgia as not necessarily right or left or center, but perhaps an optimist on the grounds that the Speaker has been around here for a long time, and she surely would have seen this over and over and over again over the last 20 or more years that I believe she has been here. So I actually don't think that it is about trying to arrive at a means to get Democrat and Republican votes. I think it's about trying to move a hard-core left-wing agenda.

The President has said he is for single payer. The Speaker is for single payer. HARRY REID is for single payer. That's all socialized medicine. That's government-run health care. Now it's a matter of—it isn't necessarily, in my view, what's right or wrong with the way they're looking at this.

I had said before the election—a year ago last November—if we elect President Obama, the most liberal President in American history, the most liberal Senator in the United States Senate, if we elect him, with a strong ideology—and by the way, he told us in Baltimore, the President said, I am not an ideologue, I am not, but I am not aware of anyone that actually believes that. A strong left-wing President standing with the Speaker of the House from San Francisco, HARRY REID from Las Vegas, those three are the ruling troika in America.

And I said before Mr. Obama was elected President that the three of them could go into a phone booth and do what they would to America—and they wouldn't have to ask any Republicans for sure—and the only thing they would have to do is be able to verify that they could produce the votes within their own Democrat Party to pass any bill. And what happened? Just what I said, essentially. The ruling troika cooked up a bill. They just couldn't agree in the House and the Senate and they had trouble finding enough Democrats to get it to pass. Now they come back to Republicans.

I would remind the Speaker of this, Mr. Speaker, and that is, Thomas Jefferson's quote, when he said, ''Large initiatives should not be advanced on slender majorities.'' This is a large initiative and it should never be advanced on slender majorities. It should be something that is debated and deliberated and perfected in a legitimate process, not a partisan process, which the committee markup actually was.

The gentleman from Missouri.

Mr. AKIN. Gentleman, this is my 22nd year—I hate to admit it—in an elected office, and I have seen 22 years' worth of bills, 12 in the Missouri legislature, and this is my 10th year here. I have never seen a bill like this that is going to affect so many different Americans so profoundly. This is larger than anything we've dealt with before. And I know there are a number of us that believe that if this bill were to pass the way it stands now, not only would it destroy health care in America, it would destroy our budget and would be tremendously detrimental to the lives of Americans from coast to coast. This is a very big deal and it is right for the American people to be very exercised about it.

Mr. KING of Iowa. Reclaiming my time, I will make another point of this that I think has been completely understated—if stated at all, Mr. Speaker—here in the House of Representatives or across the dialogue of this land, and that is this: This President and this administration participated with—the beginnings of this during the Bush administration—the nationalization of a huge chunk of our private sector. We have seen three large investment banks nationalized: Fannie Mae and Freddie Mac, General Motors, Chrysler, AIG.

According to The Wall Street Journal last August, they printed that one-third of the private sector profits had been nationalized, and most of it by the Obama administration, depending on how you actually pick the dates that it is declared to be nationalized. But one-third of the private sector profits, and now we are looking at another 17 percent of our economy nationalized. That takes, at 33 percent, you add it up and you're at 50 percent, right there at half.

But the important thing, the part that seems to be missed in the dialogue of this debate is, when the government nationalizes and takes over the private sector economy, which they have done, and they want to take over the health care and take over the management of everybody's health care in America, this unique thing happens. When we look back to 1973, the decision of Roe v. Wade, and since that time when the Supreme Court made their ruling—which I think is not grounded in the Constitution and I reject the rationale of Roe v. Wade—we have continually heard every year since then, people on this side of the aisle primarily, a few on this side of the aisle, say the government has no business telling a woman what she can and can't do with her body. That is not the government's business. That is between the woman and her doctor and her priest. It is not anybody else's business. No one can tell a woman what to do with her body. That is what I heard from these folks over here mostly since 1973.

Now the same people, the same voices are saying government should tell everybody what they can and can't do with their body. Government should take over and nationalize everybody's bodies, our health care, and determine whether our health insurance is the one that they will approve; determine what tests we get at what age; what age you get a mammogram; how long you're going to wait for a hip replacement or a knee replacement; the government taxing the nondiet pop to try to tell you don't buy anything or eat anything or drink anything but diet pop; the government punishing trans fats so that we can have a healthier diet, managing our diet, managing our health care. They've done everything except promise to run us across the scales, check our body fat index and tax us for our fat and tax us for failing to exercise.

They already tax about every sin that you can put in your body by trying to control our behavior. This nanny state is wanting to fund the takeover of the private sector, our bodies. They want to do this, and it is the most private thing we have, the Federal Government taking over our bodies. The very people that said that the government has no business telling a woman what she can do with her body, they want to tell everybody in America what we can and can't do with our bodies.

Gentleman.

Mr. AKIN. There just doesn't seem to be a lot of consistency there, does it? We've got 36 States that have legislation they're considering trying to protect their citizens from us demanding that those citizens have to buy the

government-approved package of health care. I mean, there are a whole lot of people fighting back, and they're sick of the nanny state telling people what to do.

I think, gentleman, when you talk about the Federal Government taking things over, what I have seen in the last year seems to me to be three nets that are being tossed over our economy.

The first net is the net that government is going to make all the decisions about energy. And energy is a key component of almost everything, so the government wants to regulate in all kinds of very fine ways the use of energy.

The second net says we are going to control all of health care. Now, that affects everybody because everybody has a body.

And the third one, which has not received a lot of attention but is equally insidious, is that the government is going to throw a net over all financial transactions. In fact, the bill that was proposed would allow the government to determine the salary of a teller in a bank.

So when you put a net over energy, a net over health care, a net over financial transactions, talk about Big Brother looking over your shoulder. No wonder people are exercised.

□ 2130

Mr. KING of Iowa. In reclaiming my time from the gentleman from Missouri, it causes me to think about what I have talked about for some time here on the floor, and I'll see if I have the notes on this. I can also speak from memory, however. I have long talked about the Democratic Socialists of America and their Web site. It seems as though Americans just don't seem to want to take a look at what's going on at dsausa.org.

I got to wondering on one of my nights that I wasn't sleeping very well. I guess it was bothering me that the liberals are deconstructing our Constitution, so I was doing a little research to figure out what they were thinking.

I went to their Web site, the Socialist Web site, and I just typed in ''Socialists in America,'' dsausa.org. What I came up with was this Web site that said, Here is what we want to do. At first, the definition in there says, We are Socialists. We are not Communists.

Now, I always want to trust those people who start out their introductory paragraphs with ''I am not a Communist.'' Okay. Well, tell me why you're not. Now I'm really interested, and I'm not actually sure after I read it.

Well, Communists, they say, want to nationalize everything right down to the butcher, the baker, and the candlestick maker. Socialists really don't want to do that. They just want to nationalize the Fortune 500 companies and anything else that's in their way. So they say this is the difference. So we're not Communists; we're Socialists. We do want to nationalize the Fortune 500 companies, and we also want to nationalize the oil refinery industry and the energy industry in America. We want to take that all over, and we want to manage these corporations ''for the benefit of the people affected by them.''

Now, I read that, and I might have been a little blurry-eyed because I thought: Let's see. You'd run a restaurant for the benefit of the customers. That wouldn't be profit-based. You'd run a bar the same way. Oh, you can't benefit people by serving them a lot of drinks because they might hurt themselves or somebody else.

No. Really what it is is the benefit of the people affected by them will be the trade unions. They'd run the corporations for the purposes of creating jobs for trade unions to work in there, and they'd put the unions into the management of the companies. That's what they say at dsausa.org, Democratic Socialists of America.

So then I read further, and it reads, Yes, we are Socialists. We're not Communists, remember. We're Socialists, but we don't run anybody, any candidates, on our banner. We don't have a party that advances candidates to go on the ballot, because our legislative arm is the Progressives, the Progressive Caucus in the United States Congress.

If you go to their Web site—and they're quite proud of this, and they put a poster up over here on a fairly regular basis—there are 78 of them listed. There are 77 House Members who are proud Progressives, and the one other is BERNIE SANDERS, the Senator from Vermont, who is a proud Socialist. He is a Socialist. He is a Progressive. He is on the list with the others.

The Socialists say the Progressives are Socialists. I don't hear the Progressives saying they are not Socialists. I'm going to take all their word for it. They are Socialists, and their agenda is the same agenda that has been advanced on the Socialist Web site, and we hear it on a regular basis here, and the agenda that is being advanced by the President of the United States is an agenda that, for all the world, looks like the one I read on the Progressive Web site and that I read on the Socialists Web site.

I yield to the gentleman from Missouri before I yield to the gentleman from Georgia.

Mr. AKIN. You know, it was interesting to me that there was a country—it was the U.S.—and they had a theory. Their theory was that the government should provide you with a job, with an education. They should provide you with health care. They should provide you with food and with clothing and with a place to live. That was the job of the government to do those things. We watched that country. It was a big country. After a while, it collapsed. It wasn't just the U.S.—It was the USSR.

Aside from the fact that they just hated people of the Christian faith, aside from that sort of prejudice, that was their operating philosophy—that the government was going to provide things that were necessary for your survival. You've got to have food to survive, so the government is going to give it to you. You've got to have health care, so the government is going to give it to you. You have to have education, so the government is going to give it to you. That was their operating premise. We sat there, as I was a young man, and we went ''yuk, yuk, yuk'' when the whole thing fell apart, because we knew it was a dumb idea.

So what are we doing in America here under the Pelosi and Obama leadership? The government is not only providing education and housing, but now they're going to jump into expanding to take over all of health care, and they are going to tell you where to work.

I guess my question is: How come we are doing the same thing we knew that wouldn't work before? I think that's what a lot of American citizens are saying. Time out. What is going on? We need not just to get the budget in control. We need to deconstruct Washington, D.C., and we need to remove them as a threat to the freedom of this country.

Mr. KING of Iowa. In reclaiming my time, I have a remark to the gentleman:

Free enterprise capitalism is what defeated the Soviet Union and is what ended the Cold War, because our economy could outproduce their economy, and they eventually collapsed. I don't know why we are trying to emulate them.

I have a very brief question to the gentleman from Missouri before I yield to the gentleman from Georgia, which is: In the Akin household, when you serve breakfast to those kids growing up down there, to that whole conservative family, do you serve them grits on a regular basis, or do you not?

Mr. AKIN. Well, you know, now, when you get to the State of Missouri, that's one of those things that just kind of depends.

Mr. KING of Iowa. Am I going to have to go down there and have you show me?

Mr. AKIN. Yes. We're going to have to do some showing down in the State of Missouri. We're not too bad on oatmeal, but I'll tell you what is something, I think, of a little bit of New England that I would want to recommend, and that is that you'd get that cornbread and put maple syrup on top of it and then homemade apple sauce over the top. I'd even stack that up against grits in spite of what my good friend from Georgia might say.

Mr. KING of Iowa. Well, I'll reclaim my time, and yield to the man who does have grits for breakfast, the doctor from Georgia, Mr. BROUN.

Mr. BROUN of Georgia. Thank you, Mr. KING. I appreciate your yielding.

I think the American people need to know that socialism never has worked, never will work, and we've got people here in Washington who are so arrogant, so ignorant, so incompetent that they will think that their brand of socialism is going to work, but it will not. It never has worked. It never will work. I don't care who is trying to force socialism upon our people; it's still not going to work.

In fact, the Progressives, as Mr. KING was talking about recently, said way back years ago with Theodore Roosevelt, who was the first Progressive and started the Progressive movement here in this country—the Progressives back a century ago were saying, The best way to socialize America would be to socialize the health care system. They have been trying for 100 years now to socialize the health care system.

We have a sham of a meeting tomorrow at the Blair House that the White House has set up. When it was first announced, I was very hopeful that maybe the President had seen the light from everything that the American people had been saying, in that they don't want to have the government take over the health care system. Maybe he was beginning to see the light and reach out a hand to try to work with us as Republicans. I'm a medical doctor, and I was hopeful that my input and even my health care reform bill, H.R. 3889, which is a comprehensive health care and financial reform bill, which totally looks at the private sector, would maybe be considered.

No, that's not what the White House wants to do. In fact, they've stacked the deck, actually, the final chapter of this whole sham—of the ruse, of the dog-and-pony show—that's going to occur tomorrow.

Now, I've challenged Democrats individually—in fact, many of them—to introduce a bill that would do four things which are totally market-based, which would give patients many options and which would literally lower the cost of health insurance for every American. Four things.

One is to have cross-State purchasing for businesses and individuals so that people could go out and buy their health insurance anywhere in this country.

The second thing is to develop an association pool so that people could join an association and could have a choice of one or more multiple products in the way of health insurance that they could buy.

The third thing is to stimulate the States to set up high-risk pools to cover those people who are uninsurable.

The fourth thing is to have tax fairness for everybody so that everybody could deduct 100 percent of all their health care expenses. We don't have that today.

In fact, last night, I led the Doctors Caucus discussion about health care. Just following us, the Democrats came to the floor, and they were talking about a bill that passed the House today. It's a big insurance company protection bill, is actually what it is. BETSY MARKEY from Colorado, a Democrat, said she has had a small business, and she was remarking, as to her small business in Colorado, that she only has two choices of buying health insurance, and that she would like to see her employees be able to get insurance across State lines. I've had Democrat after Democrat tell me they'd like to introduce this bill, but they said that their leadership would punish them if they were to introduce it and promote it.

JOHN SHADEGG, CHARLIE DENT and I, all Republicans from different parts of this country, wrote an op-ed that was published in The Washington Times to challenge Democrats to introduce that bill. If we were to have it on the agenda tomorrow, we could introduce that bill. The Democrats could take control of it and could claim the bill as theirs.

Mr. KING of Iowa. In briefly reclaiming my time, to the gentleman from Georgia, I'd make the point that, as to what's going on tomorrow that you referred to as a dog-and-pony show, I don't take issue with that statement.

I just think that the American people need to know that this isn't a negotiation taking place tomorrow. This is about putting up the front and the show that there will be C–SPAN discussions taking place and that there will be Republicans in the room.

By the way, there hasn't been any dialogue on our part about the dynamics of what happens with the faces of the Democrats who will be in the room or whose job it will be to enhance the image of the President of the United States. This is the President's image. He has lost his mojo, and he cannot get it back by simply continuing to work in the backroom with Democrats. That's how he lost it in the first place. So the President can't get his juice back. He can't get his mojo back unless he gets Republicans in the room—and he has got to have some of them either looking silly or nodding their heads, one of the two—and I'm going to suggest going cheek-to-cheek with the President of the United States after we've come all of this way.

The American people have won the debate, and we are with them. We've now recovered the fumble in Massachusetts. We've got the ball. We're playing offense. They're playing defense. This is the best that they can come up with—allowing the President of the United States to set conditions on the negotiations by which we are going to consider his defeated bill, to which 47 percent of the people say scrap it and start over, to which 23 percent of the people say just throw it out and do nothing—don't start over—and to which about a quarter of the people say, We'll pass the President's bill. Well, that's how far down he is when 25 percent of the American people think that might be a good idea.

So I think that we need to understand that this is about the show. It's not about getting anything negotiated. But if it were, I'd do tort reform.

The gentleman from Missouri.

Mr. AKIN. That's what we called it during the last hour. We called it ''Political Drama.''

You know, there isn't anything, first of all, that the Republicans can do that could block his bill. The problem he has got is he doesn't even have enough Democrats who want to do this thing, so he is trying to drum up, as you say, support for this thing to make it look like there are people who are supporting it. Yet he goes behind closed doors, puts some deal together, comes out, and says, Now are you going to agree with it?

There is nothing bipartisan about that. It's just a scam. I just don't think the American people are going to buy it.

Mr. KING of Iowa. In reclaiming my time, in addition to this reconciliation package is the, figuratively, gun to the head of Republicans. They've been cleaning their gun all weekend and spinning the cylinder. They'll put it to our heads tomorrow, and they'll say, We have cooked up this reconciliation package. We've got our deal.

They're going to think we believe they have the votes.

They'll put that gun to our heads, and they'll say, Now, you can either accept the terms we're going to offer at the Blair House tomorrow or we're going to drop the hammer and go with the nuclear option and try to push this thing through the Senate.

I don't think they've got the votes in the House to do it. I don't think they've got the votes in the Senate to do it. I will say, Mr. Speaker, if they try to move that, they're going to be looking at a whole stack of amendments in the Senate that will take an awful long time, with more exposure on the Senate votes than there will be at the Blair House tomorrow.

The gentleman from Georgia.

Mr. BROUN of Georgia. Thank you.

I believe the American people know what's going on up here, and they're going to say ''no'' to ObamaCare. The American people have already spoken. They're going to say ''no'' to all of this sham, this secrecy, this putting things together with just a few people who won't let Democrats or Republicans be engaged in setting things up. It's all a show. It's a joke. It's a bunch of clowns who are just trying to make something look different than it is. It is nothing but trying to ramrod a health care takeover by the Federal Government, by this administration, and by the leadership.

The American people need to stand up and tell their Congressmen, their Senators ''no'' to this sham, ''no'' to ObamaCare—and we can defeat it. I encourage people all over this country to start calling first thing in the morning, Mr. Speaker, every Congressmen in this Congress and every Senator and

say ''no'' to this sham, ''no'' to ObamaCare and ''no'' to a government takeover of the health care system. My patients and my patients' families depend upon it—the American people just saying ''no.''

With that, we as Republicans are not the party of N-O; we are the party of K-N-O-W. We can lower the cost of health care if our issues will get on the table and if we can discuss those.

I yield back.

Mr. KING of Iowa. In reclaiming my time and in thanking the gentlemen from Georgia and Missouri, in our last minute here, Mr. Speaker, I'd make the point that I'm happy to say ''no'' to bad ideas, N-O to bad ideas. The American people are glad of that. They were glad when Nancy Reagan said, ''Just say 'no.' '' We're just saying ''no'' to socialized medicine.

We're saying ''yes'' to good ideas, including ending lawsuit abuse, selling health insurance across State lines, full deductibility, HSAs, portability, and transparency.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PITTS (at the request of Mr. BOEHNER) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

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

Mr. POE of Texas, for 5 minutes, March 3.

Mr. JONES, for 5 minutes, March 3.

Mr. TIM MURPHY of Pennsylvania, for 5 minutes, today.

Mr. YOUNG of Florida, for 5 minutes, today.

Mr. LEWIS of California, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. THOMPSON of Pennsylvania, for 5 minutes, today.

Mr. SHUSTER, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, March 3.

Mr. FRELINGHUYSEN, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. GARAMENDI, for 5 minutes, today.

Mr. FARR, for 5 minutes, today.

Mr. RAHALL, for 5 minutes, today.

Mr. MORAN of Virginia, for 5 minutes, today.

Mrs. LOWEY, for 5 minutes, today.

Mr. ROTHMAN of New Jersey, for 5 minutes, today.

Mr. BRALEY of Iowa, for 5 minutes, today.

Ms. EDWARDS of Maryland, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. CAPUANO, for 5 minutes, today.

Mr. DRIEHAUS, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. WELCH, for 5 minutes, today.

Mr. COHEN, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 30. An act to amend the Communications Act of 1934 to prohibit manipulation of caller identification information; to the Committee on Energy and Commerce.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4532. An act to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Thursday, February 25, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

6192. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-propenoic acid, butyl ester, polymer with ethenylbenzene, methyl 2-methyl-2-propenoate and 2-propenoic acid; Tolerance Exemption [EPA-HQ-OPP-2009-0691; FRL-8800-6] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6193. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2,6-Diisopropylnaphthalene (2,6-DIPN); Time-Limited Pesticide Tolerances [EPA-HQ-OPP-2009-0802; FRL-8798-5] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6194. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bifenazate; Pesticide Tolerances [EPA-HQ-OPP-2008-0126; FRL-8804-1] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6195. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorimuron Ethyl; Pesticide Tolerances [EPA-HQ-OPP-2009-0009; FRL-8798-1] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6196. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dinotefuran; Pesticide Tolerances [EPA-HQ-OPP-2009-0013; FRL-8803-1] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6197. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Endothall; Pesticide Tolerances [EPA-HQ-OPP-2008-0730; FRL-8804-8] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6198. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenarimol; Pesticide Tolerances [EPA-HQ-OPP-2007-0536 and 2007-0097; FRL-8793-5] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6199. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluoxastrobin; Pesticide Tolerances [EPA-HQ-OPP-2008-0704; FRL-8803-4] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6200. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Glyphosate; Pesticide Tolerances [EPA-HQ-OPP-2008-0385; FRL-8408-1] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6201. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mesotrione; Pesticide Tolerances [EPA-HQ-OPP-2008-0811; FRL-8799-1] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6202. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prometryn; Pesticide Tolerances [EPA-HQ-OPP-2008-0773; FRL-8801-8] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6203. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prosulfuron; Pesticide Tolerances [EPA-HQ-OPP-2008-0276; FRL-8800-8] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6204. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quinclorac; Pesticide Tolerances [EPA-HQ-OPP-2008-0937; FRL-8800-7]

received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6205. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rimsulfuron; Pesticide Tolerances [EPA-HQ-OPP-2009-0004; FRL-8796-9] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6206. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tribenuron methyl; Pesticide Tolerances [EPA-HQ-OPP-2009-0005; FRL-8797-9] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6207. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

6208. A letter from the Assistant Secretary for Financial Stability, Department of the Treasury, transmitting Certification Relating to SIGTARP and GAO Recommendations; to the Committee on Financial Services.

6209. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the Department's report entitled, ''Performance Profiles of Major Energy Producers 2008'', pursuant to Public Law 95-91, section 205(h); to the Committee on Energy and Commerce.

6210. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Maintenance Plan for Carbon Monoxide; State of Arizona; Tucson Air Planning Area [EPA-R09-OAR-2008-0379; FRL-8982-4] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6211. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; California; Monterey Bay Region 8-Hour Ozone Maintenance Plan [EPA-R09-OAR-2009-0359; FRL-8983-6] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6212. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Update to Materials Incorporated by Reference; Correction [VA201-5202; FRL-9093-6] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6213. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Change of Addresses for Submission of Certain Reports; Technical Correction [FRL-9093-5] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6214. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2009-0818; FRL-9087-3] received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6215. A letter from the Secretary, Federal Trade Commission, transmitting a report entitled ''Federal Trade Commission Report to Congress on The U.S. SAFE WEB Act: The First Three Years''; to the Committee on Energy and Commerce.

6216. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

6217. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting weekly Iraq Status Reports for the October 15 to December 15, 2009 period; to the Committee on Foreign Affairs.

6218. A letter from the Inspector General, Department of Commerce, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6219. A letter from the Secretary, Department of Commerce, transmitting the semiannual report on the activities of the Inspector General for the period April 30, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6220. A letter from the Secretary, Department of Energy, transmitting the Department's Fiscal Year 2009 Agency Financial Report; to the Committee on Oversight and Government Reform.

6221. A letter from the Assistant Secretary, Department of Health and Human Services, transmitting the Department's report on competitive sourcing for fiscal year 2009; to the Committee on Oversight and Government Reform.

6222. A letter from the Chairman, Federal Maritime Commission, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Oversight and Government Reform.

6223. A letter from the Acting Administrator, General Services Administration, transmitting Fiscal year 2010 Annual Financial Report; to the Committee on Oversight and Government Reform.

6224. A letter from the Chairman, Securities and Exchange Commission, transmitting in accordance with Pub. L. 105-270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Commission's inventory of commercial activities for fiscal year 2009; to the Committee on Oversight and Government Reform.

6225. A letter from the Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6226. A letter from the Inspector General, Office of Inspector General, transmitting final management advisory report on the governance of the Atlas project; to the Committee on House Administration.

6227. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report entitled, ''Report to the Nation 2009'' from the Office for Victims of Crime for fiscal years 2007–2008 and initiatives that extend into Fiscal Year 2009; to the Committee on the Judiciary.

6228. A letter from the President and CEO, National Safety Council, transmitting a copy of the Council's 2009 annual report and audit report, pursuant to 36 U.S.C. 1101(36) and 1103; to the Committee on the Judiciary.

6229. A letter from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting the Department's report entitled, ''United States Department of Homeland Security Other Transaction Authority Report to Congress Fiscal Year 2009'', pursuant to Public Law 107-296, section 831(a)(1), as amended; to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 1105. A resolution Providing for consideration of the bill (H.R. 2701) to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules (Rept. 111–419). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOSWELL (for himself, Mr. TERRY, Ms. HERSETH SANDLIN, Mr. LOEBSACK, Mr. LATHAM, Mr. FOSTER, Mr. HARE, and Mr. PETERSON):

H.R. 4674. A bill to authorize loan guarantees for projects to construct renewable fuel pipelines; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HELLER:

H.R. 4675. A bill to prohibit the further extension or establishment of national monuments in Nevada except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. FARR:

H.R. 4676. A bill to direct the Secretary of Commerce to establish a competitive grant program to promote domestic regional tourism; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself, Mr. COHEN, Mr. NADLER of New York, Mr. HARE, Mr. FILNER, Mr. DELAHUNT, Ms. BALDWIN, Mr. KENNEDY, Mr. THOMPSON of Mississippi, Ms. SUTTON, Mr. KILDEE, Ms. CHU, Mr. MICHAUD, Mr. JOHNSON of Georgia, Mr. GEORGE MILLER of California, Mr. HALL of New York, Mr. SIRES, and Mr. RYAN of Ohio):

H.R. 4677. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Ms. SUTTON (for herself, Mr. TURNER, Ms. LINDA T. SÁNCHEZ of California, Mr. CONYERS, Ms. ZOE LOFGREN of California, Mrs. MILLER

of Michigan, Mr. BRALEY of Iowa, Mr. SARBANES, Ms. GINNY BROWN-WAITE of Florida, Mr. MICHAUD, Mr. DOGGETT, Mr. JONES, Mr. DUNCAN, Mr. HARE, Mr. KILDEE, Mr. STUPAK, Mr. DONNELLY of Indiana, Mr. GENE GREEN of Texas, Mr. TERRY, Ms. EDWARDS of Maryland, Ms. SHEA-PORTER, Mr. OBERSTAR, Mr. RYAN of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KAGEN, and Mr. YARMUTH):

H.R. 4678. A bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN:

H.R. 4679. A bill to amend the Internal Revenue Code of 1986 to assist in the recovery and development of the Virgin Islands by providing for a reduction in the tax imposed on distributions from certain retirement plans' assets which are invested for at least 30 years, subject to defined withdrawals, under a Virgin Islands investment program; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 4680. A bill to reduce the employer portion of payroll taxes in the case of employers who expand payroll in 2010 and 2011; to the Committee on Ways and Means.

By Mr. FORBES:

H.R. 4681. A bill to provide for rates of pay for Members of Congress to be adjusted as a function of changes in Government spending; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Mr. PETRI, and Mr. COOPER):

H.R. 4682. A bill to encourage savings, promote financial literacy, and expand opportunities for young adults by establishing Lifetime Savings Accounts; to the Committee on Ways and Means.

By Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. GARRETT of New Jersey):

H.R. 4683. A bill to amend the Agricultural Trade Act of 1978 to repeal the Market Access Program of the Department of Agriculture; to the Committee on Agriculture.

By Mr. NADLER of New York (for himself, Mr. ACKERMAN, Mr. ARCURI, Mr. BISHOP of New York, Ms. CLARKE, Mr. ENGEL, Mr. HALL of New York, Mr. HIGGINS, Mr. HINCHEY, Mr. ISRAEL, Mr. KING of New York, Mr. LEE of New York, Mrs. LOWEY, Mr. MAFFEI, Mr. MASSA, Mrs. MALONEY, Mr. MCMAHON, Mrs. MCCARTHY of New York, Mr. MEEKS of New York, Mr. MURPHY of New York, Mr. OWENS, Mr. RANGEL, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. WEINER, Mr. CROWLEY, Mr. PERRIELLO, Mr. THOMPSON of Pennsylvania, Mr. PIERLUISI, Ms. BORDALLO, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. RICHARDSON, Ms. SCHWARTZ, Mr. DOYLE, Mr. MORAN of Virginia, Ms. ROS-LEHTINEN, Ms. PINGREE of Maine, Mr. HIMES, Mr. CONNOLLY of Virginia, Mr. MEEK of Florida, Ms. LORETTA SANCHEZ of California, Ms. DELAURO, Mr. SHUSTER, Mr. CASTLE, Ms. MATSUI, Mr. GARRETT of New Jersey, Mr. ROTHMAN of New Jersey, Ms. KILROY, Mr. MICA, Ms. SHEA-PORTER, and Mr. LEWIS of Georgia):

H.R. 4684. A bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center; to the Committee on Financial Services.

By Ms. NORTON:

H.R. 4685. A bill to provide for the permanent existence of the United States Parole Commission; to the Committee on the Judiciary.

By Mr. SABLAN:

H.R. 4686. A bill to authorize the Secretary of Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; to the Committee on Natural Resources.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 4687. A bill to provide grants to States for low-income housing projects in lieu of low-income housing credits; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESTAK:

H.R. 4688. A bill to amend the Second Chance Act of 2007 to reauthorize the grants program carried out by the Secretary of Labor to provide mentoring, job training and job placement services, and other comprehensive transitional services to assist eligible offenders in obtaining and retaining employment, and to require a study on best practices by nonprofit organization participating in such grants program; to the Committee on the Judiciary.

By Mrs. DAVIS of California (for herself and Ms. ROS-LEHTINEN):

H. Con. Res. 239. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Women Airforce Service Pilots; to the Committee on House Administration.

By Mr. MCCAUL (for himself, Mr. CULBERSON, Mr. CONAWAY, Mr. BRADY of Texas, Mr. MARCHANT, Mr. SAM JOHNSON of Texas, Mr. HALL of Texas, Mr. SMITH of Texas, Mr. SESSIONS, Mr. PAUL, Mr. GENE GREEN of Texas, Mr. ORTIZ, Mr. CUELLAR, Mr. GOHMERT, Ms. GRANGER, Mr. OLSON, Mr. CARTER, Mr. THORNBERRY, Mr. NEUGEBAUER, and Mr. POE of Texas):

H. Res. 1103. A resolution celebrating the life of Sam Houston on the 217th anniversary of his birth; to the Committee on Oversight and Government Reform.

By Mr. COSTA (for himself, Mr. POE of Texas, Mr. BACA, Mr. CARDOZA, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOLDEN, Mr. LARSEN of Washington, Ms. MATSUI, Mr. MCGOVERN, Mr. MINNICK, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. PIERLUISI, and Mr. ROYCE):

H. Res. 1104. A resolution supporting the mission and goals of 2010 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, no matter their country of origin or their creed, and to commemorate the National Crime Victims' Rights Week theme of ''Crime Victims' Rights: Fairness. Dignity. Respect.''; to the Committee on the Judiciary.

By Mr. QUIGLEY (for himself, Mr. BARTLETT, Mr. MURPHY of New York, Mr. WALZ, Mr. SMITH of Washington, Mr. CARNAHAN, Mr. KISSELL, Mrs. BIGGERT, Mr. TONKO, Ms. GIFFORDS, and Mr. KIRK):

H. Res. 1106. A resolution commending the United States Army for its achievements in and commitment to environmental sustainability and energy security; to the Committee on Armed Services.

By Ms. ROS-LEHTINEN (for herself, Mrs. MALONEY, Ms. TITUS, Mr. BROWN of South Carolina, Mr. ROSKAM, Mr. WILSON of South Carolina, Mr. BILIRAKIS, Mr. FALEOMAVAEGA, Ms. BERKLEY, Mr. GALLEGLY, Ms. KOSMAS, Mr. GARRETT of New Jersey, Mr. MANZULLO, Mr. PAYNE, Mr. KENNEDY, Mr. SMITH of New Jersey, Ms. WATSON, Mr. PASCRELL, Mr. SPACE, Mr. ALTMIRE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. JACKSON of Illinois, Mr. SCOTT of Virginia, Mr. SARBANES, Mr. HOLT, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. LANGEVIN, Mr. ISRAEL, Mr. SNYDER, Mr. DAVIS of Illinois, Mr. CONYERS, Ms. ESHOO, Ms. KILROY, Mr. MARIO DIAZ-BALART of Florida, Mr. CAPUANO, Mr. PALLONE, and Mr. MCMAHON):

H. Res. 1107. A resolution recognizing the 189th anniversary of the independence of Greece and celebrating Greek and American democracy; to the Committee on Foreign Affairs.

By Ms. WATSON:

H. Res. 1108. A resolution commemorating the life of the late Cynthia DeLores Tucker; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 25: Mr. GRIFFITH.
H.R. 211: Mr. KLEIN of Florida.
H.R. 213: Mr. CARNAHAN.
H.R. 413: Ms. GIFFORDS, Mr. GENE GREEN of Texas, Ms. LEE of California, Mr. SHUSTER, Mr. JOHNSON of Illinois, and Mr. ENGEL.
H.R. 571: Mr. CARNAHAN.
H.R. 618: Mr. MICHAUD.
H.R. 656: Ms. GRANGER.
H.R. 690: Mr. MEEKS of New York.
H.R. 716: Ms. LINDA T. SÁNCHEZ of California.
H.R. 734: Ms. FUDGE, Ms. SCHWARTZ, Mr. KAGEN, Mr. DAVIS of Tennessee, and Mr. CHANDLER.
H.R. 855: Mr. RYAN of Ohio.
H.R. 1074: Mr. ROSKAM.
H.R. 1175: Ms. JACKSON LEE of Texas.
H.R. 1177: Mr. SKELTON.
H.R. 1248: Mr. BARTLETT.
H.R. 1283: Mr. VISCLOSKY.
H.R. 1305: Mr. OWENS and Mr. MANZULLO.
H.R. 1314: Ms. CHU, Ms. RICHARDSON, and Mrs. NAPOLITANO.
H.R. 1523: Ms. WATERS.
H.R. 1552: Mr. SENSENBRENNER.
H.R. 1584: Mr. KISSELL and Mr. CAPUANO.
H.R. 1751: Mr. THOMPSON of Mississippi.
H.R. 1778: Mr. REYES, Mr. CARDOZA, and Mr. BOSWELL.
H.R. 1826: Mr. WEINER and Mrs. DAVIS of California.
H.R. 1831: Mr. TOWNS, Mr. PASTOR of Arizona, Mr. MINNICK, and Mr. MELANCON.
H.R. 1836: Mr. SHULER.
H.R. 1855: Mr. SPACE.
H.R. 2024: Mr. MCINTYRE.
H.R. 2030: Ms. SHEA-PORTER.

H.R. 2112: Ms. SLAUGHTER.
H.R. 2122: Mr. DAVIS of Tennessee.
H.R. 2149: Mr. BISHOP of New York.
H.R. 2246: Mr. BISHOP of New York.
H.R. 2271: Mr. LATHAM.
H.R. 2361: Mr. GORDON of Tennessee.
H.R. 2421: Mr. BARROW, Mr. DICKS, Mr. PITTS, and Mr. SCOTT of Virginia.
H.R. 2492: Mr. MAFFEI.
H.R. 2579: Mr. SESTAK.
H.R. 2731: Mr. SESTAK.
H.R. 2817: Ms. PINGREE of Maine.
H.R. 2866: Mr. WU.
H.R. 3012: Mr. TAYLOR.
H.R. 3025: Mr. BAIRD.
H.R. 3043: Ms. NORTON, Mr. MICHAUD, Mr. MARKEY of Massachusetts, Ms. CHU, Mr. HOLT, and Mr. BOCCIERI.
H.R. 3101: Mr. CHANDLER, Mr. DAVIS of Tennessee, Mr. MOORE of Kansas, Mr. NEAL of Massachusetts, Mr. OLVER, and Mr. TIERNEY.
H.R. 3511: Ms. BORDALLO.
H.R. 3525: Ms. WOOLSEY.
H.R. 3560: Mr. RUSH.
H.R. 3564: Mr. LYNCH and Mr. PIERLUISI.
H.R. 3648: Mr. ELLSWORTH.
H.R. 3731: Mr. PERLMUTTER, Mr. PIERLUISI, Ms. DEGETTE, Mr. HONDA, Mr. CONNOLLY of Virginia, Mr. DOGGETT, Ms. RICHARDSON, and Ms. NORTON.
H.R. 3790: Mr. OWENS and Ms. WATSON.
H.R. 3810: Mr. TONKO.
H.R. 3974: Ms. ROYBAL-ALLARD.
H.R. 4051: Mr. COURTNEY.
H.R. 4055: Mr. COSTA, Ms. HIRONO, Mr. ABERCROMBIE, Mr. COHEN, and Ms. BERKLEY.
H.R. 4085: Mr. SIMPSON.
H.R. 4109: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4127: Mr. POE of Texas.
H.R. 4131: Mr. HOLT.
H.R. 4141: Mr. KRATOVIL.
H.R. 4149: Mr. HARE.
H.R. 4155: Ms. SUTTON and Mr. FILNER.
H.R. 4210: Mr. MORAN of Virginia.
H.R. 4256: Mr. LEWIS of Georgia and Mr. DAVIS of Illinois.
H.R. 4274: Mr. BACA, Mr. FILNER, and Mr. TONKO.
H.R. 4278: Mr. DRIEHAUS and Mr. CAPUANO.
H.R. 4296: Mr. LOBIONDO.
H.R. 4302: Mr. BACA, Mrs. MALONEY, Mr. MURPHY of New York, Mr. QUIGLEY, Mr. DRIEHAUS, and Mr. MAFFEI.
H.R. 4312: Mr. MANZULLO.
H.R. 4325: Mr. ROTHMAN of New Jersey.
H.R. 4330: Mr. WU.
H.R. 4341: Mr. GRAYSON.
H.R. 4386: Mr. SESTAK, Ms. DEGETTE, and Mr. KAGEN.
H.R. 4402: Mr. DELAHUNT, Ms. LINDA T. SÁNCHEZ of California, Mr. NYE, Ms. SHEA-PORTER, Mr. ROTHMAN of New Jersey, and Mr. JACKSON of Illinois.
H.R. 4469: Mr. WILSON of South Carolina, Ms. JACKSON LEE of Texas, Mr. BRADY of Pennsylvania, and Mr. LATOURETTE.
H.R. 4526: Mr. GEORGE MILLER of California.
H.R. 4537: Ms. BEAN, Mrs. MALONEY, Mr. MASSA, Mr. MCGOVERN, Mr. PALLONE, Mr. POLIS of Colorado, and Ms. WATERS.
H.R. 4560: Ms. BEAN.
H.R. 4580: Mr. ROHRABACHER, Mr. MOORE of Kansas, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. BISHOP of Georgia, Mr. BOSWELL, and Mr. GRIJALVA.
H.R. 4594: Ms. RICHARDSON, Ms. BORDALLO, Ms. FUDGE, Mr. GRAYSON, Ms. GIFFORDS, Mr. COHEN, Ms. NORTON, Mr. FARR, Mr. MCGOVERN, Mrs. CAPPS, Mr. CAPUANO, and Mr. WU.
H.R. 4614: Mr. LUJÁN and Mr. REICHERT.
H.R. 4621: Mr. THOMPSON of California, Mr. GRIJALVA, and Mr. SHERMAN.
H.R. 4624: Mr. HILL.
H.R. 4626: Mr. FILNER.
H.R. 4647: Mr. ENGEL.
H.R. 4668: Mr. KENNEDY.
H. Con. Res. 144: Ms. LINDA T. SÁNCHEZ of California.
H. Con. Res. 147: Mr. SESTAK.
H. Con. Res. 222: Mr. GRIJALVA.
H. Con. Res. 238: Mr. TEAGUE, Mr. MCMAHON, Mr. MILLER of North Carolina, Mr. ETHERIDGE, Mr. CAO, Mr. CHILDERS, Mr. MCINTYRE, Mr. CUMMINGS, Mr. CONYERS, Mr. RANGEL, Mr. HALL of New York, Ms. KILPATRICK of Michigan, Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Mr. LEWIS of Georgia, Ms. JACKSON LEE of Texas, Ms. RICHARDSON, Mr. TOWNS, Mr. RUSH, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, Ms. MOORE of Wisconsin, Mr. AL GREEN of Texas, Mr. CLEAVER, Ms. LEE of California, Mr. COHEN, Mr. MEEKS of New York, Mr. PERRIELLO, Ms. FUDGE, Mr. BISHOP of Georgia, Mr. CARSON of Indiana, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Mr. MEEK of Florida, Mrs. CHRISTENSEN, Mrs. HALVORSON, Mr. RODRIGUEZ, Mr. PRICE of North Carolina, Mr. BUTTERFIELD, Mr. WATT, and Mr. DONNELLY of Indiana.
H. Res. 100: Mrs. MILLER of Michigan.
H. Res. 111: Mr. SMITH of Texas, Ms. JENKINS, Mr. KANJORSKI, Mr. ROGERS of Alabama, Mr. DRIEHAUS, and Mr. TIBERI.
H. Res. 200: Mr. BILIRAKIS.
H. Res. 213: Mr. LARSON of Connecticut.
H. Res. 376: Mr. MCCOTTER.
H. Res. 440: Mr. PETERS.
H. Res. 716: Mr. BRADY of Pennsylvania.
H. Res. 870: Mr. SENSENBRENNER.
H. Res. 879: Mr. MURPHY of Connecticut.
H. Res. 929: Mr. BRADY of Pennsylvania.
H. Res. 938: Mr. CHANDLER.
H. Res. 977: Mr. CAMPBELL.
H. Res. 992: Ms. JACKSON LEE of Texas, Mr. BILIRAKIS, Mr. MCCAUL, Mr. INGLIS, Mr. FILNER, and Mr. SCHOCK.
H. Res. 1060: Mr. SCALISE, Mr. KINGSTON, and Mr. WALZ.
H. Res. 1063: Mr. JONES.
H. Res. 1072: Mr. CAO, Mr. FLEMING, Mr. ALEXANDER, Mr. BOUSTANY, Mr. SCALISE, and Mr. MELANCON.
H. Res. 1075: Mr. MEEKS of New York, Mr. THOMPSON of Pennsylvania, Mr. SAM JOHNSON of Texas, and Mr. WALZ.
H. Res. 1086: Ms. ROYBAL-ALLARD.
H. Res. 1091: Ms. DELAURO.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, FEBRUARY 24, 2010 No. 24

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

O Lord our God, in whom we trust, put Your hands upon the Members of this body to guide and strengthen them. Bless them in moments of stress and tension, renewing their strength so that they mount up on wings like eagles. Lord, give them the moral and spiritual stamina to do what is right as You give them the life to understand Your will. May they fulfill their high calling to serve You and this Nation and exemplify to all the oneness of a shared commitment. Make their lives an expression of Your truth, righteousness and justice.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 24, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the time until 9:55 will be equally divided and controlled between the two leaders or their designees. At 9:55, the Senate will proceed to a series of up to two rollcall votes. The first vote will be on the motion to waive the applicable budget points of order with respect to the Reid amendment No. 3310.

If the points of order are waived, we will immediately proceed to vote on the motion to concur in the House amendment to the Senate amendment to the bill, H.R. 2947, with the Reid substitute amendment.

Following the votes, the Senate will proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

It is my hope we are able to reach an agreement to pass the short-term tax extenders legislation today. The next item of business will be the bipartisan travel promotion legislation.

Following the remarks of the Senator from Kentucky, I would yield 4 minutes to the Senator from New York, Mr. SCHUMER.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE SUMMIT

Mr. MCCONNELL. Mr. President, earlier this week, the White House unveiled its latest iteration of the Democrat plan for health care reform, and, to put it quite simply, it was a major disappointment.

It was our hope that when the administration called for a health care summit at the White House, it would be an opportunity for both sides to come together and start over. Now it is perfectly clear the administration had something else in mind entirely.

The plan we saw Monday is hardly a starting off point for a bipartisan discussion on commonsense reforms. It is really just more of the same: a massive government scheme with all the flaws of the previous proposals that the American people have already seen and rejected. Changing the name and increasing the cost is not what Americans have been asking for, and it is certainly not reform.

To make matters worse, even as lawmakers head down to the White House for this health care summit tomorrow, Democrats on Capitol Hill are working behind the scenes on a plan aimed at jamming this massive health spending bill through Congress against the clear wishes of an unsuspecting public. What they have in mind is a last ditch legislative sleight of hand called reconciliation that would enable them to impose government-run health care for all on the American people, whether Americans want it or not. And we know that Americans do not, in fact, want it.

Americans have seen these proposals before. They do not want them. So this is the height of legislative arrogance. If you did not like the Cornhusker Kickback, get ready. This is the Cornhusker Kickback on steroids.

In light of all these behind the scenes efforts to get around the will of the people, it is hard to imagine what the purpose of Thursday's summit is. If the White House wants real bipartisanship,

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

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then it needs to drop the proposal it posted Monday, which is no different in its essentials than anything we have seen before, and start over. And they need to take this last-ditch reconciliation effort off the table once and for all.

Then we can work on the kind of reform Americans really want, step by step proposals that will actually get at the problem, which is cost. That is what the American people have been asking us to do for a year. If ever there were a time for the administration to show it is listening, it is now. Reform is too important. We cannot let this opportunity pass.

RESERVATION OF LEADER TIME

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

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES 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. 2847, which the clerk will report.

The assistant legislative clerk read as follows:

A House message to accompany H.R. 2847, an Act making appropriations for the Departments of Commerce and Justice and Science, and Related Agencies for the Fiscal Year ending September 30, 2010, and for other purposes.

Pending:

Reid amendment No. 3310 (to the House amendment to the Senate amendment), in the nature of a substitute.

Reid amendment No. 3311 (to amendment No. 3310), to change the enactment date.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:55 will be equally divided and controlled between the two leaders or their designees.

Mr. GREGG. I ask unanimous consent that upon the completion of the remarks from the Senator from New York, I be recognized.

Mr. SCHUMER. Mr. President, the time will be equally divided, I presume?

Mr. GREGG. Yes.

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

The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, on a more bipartisan note than the speech from the minority leader, we are now moving toward some legislation that has two bits of good news for the American people; one, it will help create jobs and employ those who have been out of work for too long a time; second, it is bipartisan. For the first time in a long time, we have a bill that is supported by both Democrats and Republicans. I would like to salute the five Republicans from the other side who joined us in moving the bill forward. I am very hopeful there will be a large number of those from the other side of the aisle who will join in this bipartisan measure that will show the American people that, at least when it comes to jobs, we can—and must for their good—work together.

First, let me discuss the proposal, the part of the proposal authored by Senator HATCH and myself. It is very simple. It is a holiday from the payroll tax for any employer that hires a worker who has been out of work for 60 days.

Let me discuss why I think it will work. First, it is immediate. Most businesses, particularly small businesses, if you tell them they will get some kind of tax credit if they hire someone, but they will get that credit a year from April, are not very interested. This occurs immediately, the minute the worker is hired.

Second, it is simple. Again, you tell a businessperson, particularly a small businessperson, they have to fill out 30 pages, maybe hire an accountant to get a tax credit for a new worker, that is not life. They are going to tell you to forget it.

But here all the new employee has to show is that he or she was out of work for 60 days. It is very easy to show 60 days of unemployment compensation, and it immediately takes effect.

Third, it goes right to small business. So this is not a large government program. The money goes right to small business and is cost effective, which is the fourth point. If 3 million people are hired by this tax credit, it will cost $15 billion. That is a lot of money. But compared to the stimulus of $880 billion, it is much smaller. The money is cost effective. It goes right to where it should.

Finally, my last point is, it is bipartisan. The country is asking us to come and work together. Obviously, there are diverse views, both within the parties and certainly between the parties. But that does not mean, on areas that are getting close to emergencies, we cannot work together.

This proposal, let it be the start. But let this proposal be the start of a coming together on issues we can agree on. There are some job proposals my colleagues on this side of the aisle would support and my colleagues on the other side would not and vice versa. There are some they would support and we would not.

But there are a large number we can all agree on. We ought to endeavor to do them because what the American people want is not us just talking at one another and accomplishing nothing but us getting something done.

Finally, going back to the merits of this proposal, it should not be sold as a panacea. This is not a magic wand that is going to be waved and all our joblessness will decline.

But what it does do is harness the economic growth we have seen in the last quarter, 5.7 percent, and translates it into the creation of jobs. Let me explain. In the last quarter, there was economic growth, 5.7 percent, but hardly a job was created. You cannot sustain an economy and get an economy moving upward unless jobs are created.

But the growth gives us an opportunity—not every employer but a significant number of employers are getting new orders. They are thinking to themselves: Should I hire that new worker or should I just extend overtime or cut back somewhere else?

This job provision, a payroll tax holiday, says to the employer—to some, not all but to many—I am going to take that gamble and hire that worker and hire them now so it will help jump-start our economy. It will work for businesses, not those that see declining sales or flat sales but those that are beginning to see sales go up and will translate those increased sales into increased jobs, which will then, hopefully, create the virtuous cycle of more jobs, more money in the economy, more jobs still, more money in the economy still, and we can get out of this awful recession.

In conclusion, I wish to save enough time for my friend from New Hampshire. I traveled around my State this last Presidents week break. In every corner of my State, I sat with the unemployed. It was heartbreaking. Think of those people and those faces, what they had to say late at night.

A woman from Rochester had worked for 20 years for Xerox, lost her position in human services up in Rochester. She has been looking for 2 years, close to 2 years, for a job. She made a very good salary. She did not have a family. Her job was her life. She has turned things inside out to try and find comparable work. She cannot.

I met a man who was a blue-collar worker. He had risen to the top of his craft, tool and die. He thought he had a great life—worked hard, had six children, a good marriage. A year ago he lost his job and is still paying the mortgage. His wife cannot work to support him because of the six kids, one of whom was 2 years old, as I recall.

What is he going to do? You meet people like this again and again. Young college students get out of college, bright-eyed and bushy-tailed, and cannot find work. How disillusioning at the beginning of their career.

So we have an imperative to do something. We have an imperative not to say: It has to be my way or no way. We have to put those people back to work.

That is what Senator HATCH and I attempted to do with our proposal. To our leader, I wish to pay him a tremendous tribute. He was focused on getting this done. He took brickbats left and right. But the ultimate wisdom of what he did is now being seen as we move this bill on the floor today.

Hopefully, it will go through the House and be on the President's desk shortly. I thank Senator HATCH and all my colleagues who, hopefully, in a few minutes, will come together in a bipartisan way and tell the workers who are

unemployed: Yes, there is some hope. Tell the voters from Massachusetts: Yes, we have heard you. We are focusing on jobs.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I believe the first obligation of a government—or one of the obligations, especially of Congress—is to live by its own words and live by its own rules. With great fanfare a couple weeks ago, the Democratic leadership and its membership passed a pay-go piece of legislation which says that when you bring spending legislation to the floor, it should be paid for. There was great breast-beating on the other side of the aisle about how this would discipline the government and make us fiscally responsible.

Now we see, as the first piece of legislation to come forward since the pay-go resolution passed, a bill which violates that pay-go resolution. This bill spends $12 billion that is not paid for under the pay-go rules over the next 5 years. It is in violation of the concepts and the rules which were put forward by the other side as the way we would discipline spending.

I understand—and I think most of us understand—the issue of the economy is critical, getting people back to work is critical, but I don't think we get people back to work by loading more and more debt onto the next generation. Probably we create an atmosphere where folks who are willing to go out and invest and create jobs are a little reticent to do so because they don't know how all that debt the Federal Government is putting on the books will be paid for. I presume that is one of the reasons the pay-go legislation was brought forward a couple of weeks ago, to try to give some certainty to the markets and to the American people who were upset with all the deficit and debt, that we would discipline ourselves.

Now the first bill that comes forward violates the rules of the Senate by adding $12 billion of spending which is not paid for, which will be deficit spending, and which will be added to the debt. I am not sure how you vote for this bill when it violates that rule which you just voted for 2 weeks ago. It seems a bit of inconsistency that is hard even for a political institution to justify.

On top of that, this bill has massive gamesmanship in the outyears. It is a bill of $15 to $18 billion in spending, but actually, because of the games played in the highway accounts, it adds $140 billion of spending that is not paid for which will be added to the debt if this bill is passed. That is a hard number. That is a big number. That is a real number.

The simple fact is, this bill, in the classic gamesmanship we see from the highway committee, spends money we don't have and then claims we have the money. In the end, all that money has to be borrowed because there are no revenues to cover it.

If this bill is passed, there will be $140 billion in new debt put on our kids' backs as a result of this alleged small number. I forgot what the number is they claim is actually in the bill. How does that happen? This bit of gamesmanship ought to be explained because it keeps being undertaken by the highway committee in the most egregious way relative to proper fiscal management. In fact, if this were done in an accounting cycle that was subject to accounting rules, the people who claim this sort of sleight of hand would go to jail. It is that simple. They would go to jail because this is such a fraud on the American taxpayer.

What they are claiming is that the highway fund, on which they have committed to spend much more money than is coming in, and they knew they would spend more money than was coming in because they wanted to spend more money than was coming in, what they are claiming is that highway fund lent the general fund money 10 years ago and that money should have had interest paid on it. Of course, at the time, they actually waived the interest, assuming interest should have been paid on that. That interest has been recouped a couple of times now, allegedly, even if it were owed. But what they claim is that because the money is coming out of the general fund to fund the highway fund, they are calling that an offset so it won't score.

Unfortunately, under the present rules with which we budget around here, it doesn't score because it is built into the baseline. It adds up to $140 billion over the next 10 years, approximately, that is going to come out of the general fund to fund the highway fund because the people who run the highway fund don't have the courage to fund what they want to spend. So they are going to take it out of the general fund. Where does the general fund get its money? It borrows it from our children and grandchildren. It runs up debt. That is why, under any scenario, no matter what gamesmanship you play around here on naming this event, it turns out to be the same thing: debt added to our children's burden.

Our children already have a fair amount of debt coming at them as a result of this Congress's profligacy. Under the President's budget, the deficit will double in the next 5 years and triple in the next 10 years. We will add $11 trillion of new debt to the backs of our children over the next 10 years under the President's initiatives, every year for the next 10 years. We will average deficits of $1 trillion.

The American people intuitively understand that cannot continue; it can't keep up. We are on an unsustainable course. We are running this Nation into a ditch on the fiscal side of the ledger. We are putting this Nation into financial bankruptcy because of the fact that we are running up deficits and debt far beyond our capacity to repay. In fact, if you look at these deficits and debt just in the context of what other industrialized nations do—for example, the European Union—they don't allow their states to exceed deficits of 3 percent or a public debt to GDP ratio of 60 percent. The way this works out, we are going to run deficits of about 5 percent every year for the next 10 years, we will have a public debt situation of well over 60 percent next year, and we will get to 80 percent before the next 10 years are up. Those are numbers which lead to one conclusion—that we are in deep trouble. We are in deep, deep trouble. Yet we come here today with a bill which aggravates that situation relative to the pay-go rules by $12 billion and relative to the highway fund by $140 billion.

Mr. INHOFE. Mr. President, I have a unanimous consent request.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire has the floor.

Mr. GREGG. I will yield for the purpose of a unanimous consent request.

Mr. INHOFE. I ask unanimous consent that at the conclusion of the remarks of the Senator from New Hampshire, I be recognized for up to 3 minutes.

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

Mr. GREGG. What we have before us today is a bill which, first, violates the pay-go rules which we just passed a couple of weeks ago to the tune of $12 billion and, second, puts in place a glidepath, which should be called a nosedive, toward $140 billion of new debt being put on the backs of our children, with the alleged justification that it is offset when, in fact, the offset is superficial, Pyrrhic, and nonexistent.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. GREGG. We can not keep doing this. We cannot keep doing this to our children. We cannot keep coming out here and claiming we are being fiscally disciplined when we are doing just the opposite: spending money we don't have and passing the bill on to our kids.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, when the Senator from New Hampshire talks about what we can and can't do to our children, I remind my fellow Senators, I happen to be blessed with 20 kids and grandkids. I am probably more concerned than anyone else here about future generations. Let me say, to redeem myself in advance, I am a conservative. I have been ranked No. 1 by the ACU, Man of the Year by Human Events. Yet I think we are supposed to be doing something when we come here to Washington. I have always said, when I run for office, that the two main things we are supposed to do are defend America and infrastructure. Yes, I am the ranking member on the Environment and Public Works Committee. I was the sponsor of the bill in

2005, and I am proud of it because we had to do something about infrastructure. I don't know, maybe there aren't any roads in New Hampshire, but I can tell you, don't buy into the argument that this is all debt. We are talking about $12 billion.

This bill actually does two things. It has some very good reductions in taxes. I remember so well that John Kennedy, when he was President, said we have to raise more revenue. The best way is to reduce marginal rates. From 1961 to 1968, it went from $94 billion to $153 billion. That is in this thing. But the main thing here I am concerned about is we keep doing nothing about roads and highways and infrastructure. That is what we are supposed to do.

I know the Senator is sincere when he comes up with this, but where was his concern back when he voted to give an unelected bureaucrat $700 billion? That wasn't offset. We can say that was a loan, but we all know better.

There are some things we are supposed to be doing in America, and the second most important thing, in my view—I know others don't share this view—is to do something about infrastructure. This bill does it. This carries it on to the end of the fiscal year, about 11 more months. If we don't do it, it is costing about $1 billion a month by inaction. If we try to do this by extending it month by month, each one of us in this body is going to lose a lot of money that goes to roads and highways and infrastructure.

Last week had a crumbling bridge in Oklahoma where no one was killed, but it came very close to that. We saw what happened up in Minnesota. We have to do something, instead of spending all of our money, as this administration is doing, on social engineering. We need to start building bridges and roads and repairing them.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Joint Committee on Taxation document entitled ''Estimated Revenue Effects of the Revenue Provisions Contained in Senate Amendment 3310, The 'Hiring Incentives to Restore Employment Act,' under consideration by the Senate'' be printed in the RECORD.

In addition, the RECORD should reflect that the document entitled ''Technical Explanation of the Revenue Provisions Contained in Senate Amendment 3310, The 'Hiring Incentives to Restore Employment Act,' under consideration by the Senate'' can be found on the Joint Committee on Taxation website at http://jct.gov/publications.html?func=startdown&id=3648. This document is a contemporary explanation of the legislation that reflects the intentions of the Senate and its understanding of the legislative text.

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

JOINT COMMITTEE ON TAXATION
February 23, 2010
JCX-5-10

ESTIMATED REVENUE EFFECTS OF THE REVENUE PROVISIONS CONTAINED IN SENATE AMENDMENT 3310, THE "HIRING INCENTIVES TO RESTORE EMPLOYMENT ACT," UNDER CONSIDERATION BY THE SENATE

Fiscal Years 2010 - 2020

[Millions of Dollars]

Provision	Effective	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-15	2010-20
I. Incentives for Hiring and Retaining Unemployed Workers														
1. Payroll tax forgiveness for hiring unemployed workers (sunset 12/31/10) [1]	wpa DOE	-4,184	-3,432	—	—	—	—	—	—	—	—	—	-7,616	-7,616
2. Business credit for retention of certain newly hired individuals in 2010	wpa DOE	—	-2,137	-2,430	-422	-193	-112	-48	—	—	—	—	-5,294	-5,342
Total of Incentives for Hiring and Retaining Unemployed Workers		**-4,184**	**-5,569**	**-2,430**	**-422**	**-193**	**-112**	**-48**	**—**	**—**	**—**	**—**	**-12,910**	**-12,958**
II. Expensing - Increase in Expensing of Certain Depreciable Business Assets (sunset 12/31/10)	**tyba 12/31/09**	**-556**	**-368**	**305**	**192**	**140**	**108**	**68**	**39**	**19**	**9**	**8**	**-178**	**-35**
III. Qualified Tax Credit Bonds - Allow a Refundable Credit to the Issuers of Qualified Zone Academy Bonds, Qualified School Construction Bonds, New Clean Renewable Energy Bonds, and Qualified Energy Credit Bonds [2]	**bia DOE**	**-56**	**-402**	**-539**	**-479**	**-373**	**-270**	**-175**	**-80**	**-62**	**-48**	**-37**	**-2,119**	**-2,520**
IV. Revenue Provisions Contained in Extension of Current Surface Transportation Programs - Extend Highway Trust Fund (sunset 12/31/10), Provide for Interest and Certain Fund Transfers [3]	**DOE**	*No Revenue Effect*												
V. Offset Provisions														
A. Foreign Account Tax Compliance	various	343	448	710	769	804	840	878	917	958	1,001	1046	3,914	8,714

Provision	Effective	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-15	2010-20
B. Delay Implementation of Worldwide Interest Allocation Until 2020	tyba 12/31/17	—	—	—	—	—	12	97	131	1,897	3,811	2,013	12	7,961
Total of Offset Provisions		**343**	**448**	**710**	**769**	**804**	**852**	**975**	**1,048**	**2,855**	**4,812**	**3,059**	**3,926**	**16,675**
NET TOTAL		**-4,453**	**-5,891**	**-1,954**	**60**	**378**	**578**	**820**	**1,007**	**2,812**	**4,773**	**3,030**	**-11,281**	**1,162**

Joint Committee on Taxation

NOTE: Details may not add to totals due to rounding.

Legend for "Effective" column:
bia = bonds issued after
DOE = date of enactment
tyba = taxable years beginning after
wpa = wages paid after

[1] The proposal also appropriates a transfer from the General Fund to the Social Security Trust Fund to keep the trust fund whole. Thus, the reported estimate is all on-budget.

[2] Estimate includes the following increase in outlays	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-15	2010-20
	70	516	766	832	832	832	832	832	832	832	832	3,848	8,006

[3] Estimates for the rest of this title will be provided by the Congressional Budget Office.

Mr. HATCH. Mr. President, I rise today to discuss the so-called jobs legislation that is before the Senate this afternoon and to express my grave concerns with the direction this bill has taken over the past few weeks.

Several of my Finance Committee colleagues on both sides of the aisle put a lot of time and effort into creating a compromise jobs bill that Chairman BAUCUS and Senator GRASSLEY were trying to move forward. Indeed, I had high hopes that we might help thaw the partisan freeze that has gridlocked this chamber for far too long. Unfortunately, our efforts and hopes have been dashed by the majority leader's inexplicable decision to gut our bill and replace it with a piece of legislation that replaces cooperation with contention.

Further exacerbating matters, the Democratic leadership has filled the amendment tree, thus preventing anyone from being able to offer amendments that would improve the underlying bill. So much for compromise.

As a longtime public servant of this great deliberative body, I can't recall a decision that exhibited as much raw political gamesmanship as this one does. The Democratic leadership is stifling the first genuine attempt at cooperation on a major issue—a move that bodes ill for bipartisanship for the remainder of this Congress.

Given what is happening with this jobs bill, how can we in the minority have faith that we won't be excluded from debate on future legislation such as health care and energy legislation? It is easy to label the Republicans as the ''Party of No'' when you completely exclude them from the legislative process. Unfortunately, the majority leaves us with little other option than to say ''no.''

But what puzzles me the most is what the majority has to gain from this partisan maneuver. In my experience, the Senate operates best when there is trust that agreements will be honored, but regrettably now even that is in question.

Just a few weeks ago, I sat in the House Chamber while the President gave his State of the Union Address in which he raised the importance of bipartisan cooperation, especially in the area of job creation. The fact that the President hit a nerve with this plea is evident by the effort to build such a bipartisan bill in the Finance Committee in the weeks that followed. However, it is obvious that many on the other side cannot stand the thought of working with our side when there might be political points to be scored by trying to embarrass us.

Here are a few of the things the President said about the need for bipartisanship in his State of the Union Address:

> And what the American people hope—what they deserve—is for all of us, Democrats and Republicans, to work through our differences.
>
> [Americans] are tired of the partisanship and the shouting and the pettiness.
>
> These aren't Republican values or Democratic values that they're living by; business values or labor values. They're American values.

The President went on to address the need to promote job growth by saying:

> Now, the true engine of job creation in this country will always be America's businesses.
>
> We should start where most new jobs do—in small businesses, companies that begin when an entrepreneur takes a chance on a dream, or a worker decides it's time she became her own boss.

And finally:

> [We should] Provide a tax incentive for all large businesses and all small businesses to invest in new plants and equipment.

While these challenges and standards were set by the President, the leader of the Democratic Party, I believe most Republicans would agree with him. The American people are suffering. Our unemployment rate is near double digits. We owe it to the unemployed and underemployed to put aside partisan politics so that we can create jobs and make our economy stronger.

Soon after President Obama addressed the Nation, Senate Democratic and Republican leaders went to work on a bipartisan solution to create a jobs-growth bill. I worked with Senator SCHUMER to come up with a payroll tax holiday for companies that hired more employees. Under this incentive, the sooner a company hired an unemployed worker the more tax incentive the company would receive. I believe that this initiative is a perfect example of the kind of bipartisanship the President talked about during his State of the Union Address.

In addition, Senators BAUCUS and GRASSLEY joined in this effort by including several other provisions aimed at job growth and to address the symptoms of a failing economy. This was a compromise that included an extension of unemployment insurance, Build America Bonds, and expired tax provisions.

Let me be clear. There is no doubt in my mind and in the mind of many of my colleagues that passing a jobs bill is crucial. We have seen our unemployment rate remain at about 10 percent since September. The American people sent us here to do a job, and it is way past time we did it.

This is why it was so disheartening on February 11, when the Senate majority leader announced that he would scrap the compromise proposal only hours after its unveiling and proceed instead with a stripped-down bill that would not extend any of the expiring tax proposals that are so vitally important to job growth. This decision not only pulled the rug out from Republicans, but it floored those Democrats who had been working for weeks on a bipartisan solution.

Regrettably, because of this decision, it looks as though President Obama's hope for a bipartisan solution to job creation only lasted 2 weeks. What a shame!

To illustrate the abruptness of and surprise caused by the majority leader's unexpected action, just look at the next-day's headlines:

> ''Key Dem: Reid scrapped jobs bill because he did not trust Republicans''—The Hill
>
> ''Reid kills Baucus-Grassley jobs bill''—The Politico
>
> ''Senate leader slashes jobs bill; Despite new support''—LA Times

But it doesn't end there. The majority leader sent a pretty strong message when he said that he—and I quote—''dared Republicans to vote against his bill.''

Many Democratic Senators were quick to stand behind the majority leader's reversal, just seconds after supporting the bipartisan jobs bill. Some even stated that we Republicans were not interested in a bipartisan deal because we were more inclined to ''play rope-a-dope again.'' They went on to characterize the tax extenders as only ''going to people who are making money, and they generally keep it.'' They even went so far as to say that what the Democratic Caucus is taking to the floor is something that is more focused on job creation than on tax breaks.

What most surprised me is just how quickly many Democratic Senators were to abandon these tax extenders, even though most of them support extending these very expiring tax provisions. In fact, the Democratic leadership has erroneously labeled the tax extenders as solely a Republican-supported initiative. This is hardly the case, considering the Democratic-led House has already passed nearly all of these tax extenders and the President called for them to be passed in his speech before Congress.

There is an array of expiring tax provisions contained in the tax extenders package. Here are a few that are included:

Also, many Democrats, including the majority leader, are cosponsors of legislation that would extend many of the expiring tax provisions. Look at the bill to extend the research tax credit, or the alternative fuels vehicle credit, or even the new markets tax credit. These are by no means solely Republican initiatives.

In fact, there are many business tax incentives included in the tax extenders package that are primarily supported by some of the Senators who have been the most vocal against including the expired provisions in the jobs bill. These Democratic-supported business incentives include a mine rescue team training credit and special expensing rules for certain film and television productions.

Therefore, to label the support of extending these expiring tax provisions as part of a solely Republican agenda is misleading, unfair, and unwarranted. I believe that these statements were made only to support the majority leader, who appeared to have made a hasty and ill-considered decision.

Some have questioned how extending these expired tax provisions relate to job creation. It is a fair question, but

one with easy answers. The extension of these expired tax provisions would support proven growth of companies that are slowly beginning to see the light at the end of the tunnel. Conversely, government funding would only provide a false sense of job growth because once the government funding is gone so will the jobs.

If we need proof that government spending isn't as effective as tax relief, we only have to look to what the Congressional Budget Office said last year about the effects of the year-old economic stimulus package:

> The legislation would increase employment by 0.8 million to 2.3 million by the fourth quarter of 2009, by 1.2 million to 3.6 million by the fourth quarter of 2010, by 0.6 million to 1.9 million by the fourth quarter of 2011, and by declining numbers in later years.

The reason for this drop in employment is because government spending does not create permanent jobs; only the private sector can. In contrast to government spending, tax incentives would give the private sector a much-needed boost. If we had included more tax incentives for businesses in last year's stimulus bill, we would have created jobs that will last far longer than the ones government spending has created.

Originally projected to cost $787 billion, the stimulus bill is now expected to total $862 billion over 10 years, according to the Congressional Budget Office. This does not include interest owed, which would put the total cost in the trillions of dollars.

Thus far, only a third of the $862 billion stimulus package has been spent. Another third is expected to be spent in 2010, and the remaining third after this year. Whatever happened to spending money on projects deemed to be ''shovel ready?''

The administration has claimed the stimulus bill is responsible for creating or saving 1 million jobs—a very misleading claim.

For example, it was reported that a construction company in Nevada created 20 jobs on a project that has yet to receive money. A school district reported saving 665 jobs, even though it only employs roughly 600 people. A town in Oregon reported creating eight jobs on a contract for ''rattlesnake stewardship.''

In January 2009, President Obama's economic advisors predicted in a report that with an $800 billion stimulus, the unemployment rate would never go above 8 percent. As I stated previously, unemployment has been near 10 percent since last September.

Moreover, the stimulus package was sold to the American people as an immediate fix—a ''jolt'' to the economy. The President's chief economic advisor, Larry Summers, said: ''You'll see effects immediately.'' Christina Romer, the President's chair of Economic Advisers, said: ''We'll start adding jobs rather than losing them.'' And House Majority Leader STENY HOYER said, ''This will begin creating jobs immediately.''

When pitching the stimulus bill, then-President-elect Obama said ''90 percent of these jobs will be created in the private sector—the remaining 10 percent are mainly public sector jobs.'' However, the Wall Street Journal reported in a February 17 article that government data indicate most jobs supported by stimulus dollars belonged to government employees at the State and local level. In fact, only 2 percent of the entire stimulus bill was dedicated toward tax relief for businesses.

We need to provide a foundation to allow the private sector to nourish and create better paying jobs. That is why many support including these tax extenders in a jobs bill.

For instance, it is estimated that that approximately 70 percent or more of the research tax credit benefits are attributable to salaries of performing U.S.-based research. How can some Senators disregard the effectiveness of some of these tax extenders on job growth? And keep in mind that the research credit has traditionally received more Democratic than Republican support in this body. In fact, there is a bill to extend the expiring research tax credit. Of the 18 cosponsors of this bill, 11 are Democrats. Furthermore, this bill was introduced by the Democratic chairman of the Senate Finance Committee.

As I stated earlier, the President set the tone at the beginning of the year by calling on Congress to put forth a bipartisan solution to create jobs. In response, both Democrats and Republicans brought innovative ideas to the table. Then, in a sudden change of events, many Republican ideas were excluded from the jobs bill the majority leader has brought to the floor. Finally, the majority leader is not allowing our side to offer any amendments.

If this is not an arrogance of power, then I do not know what is. I only hope the majority leader heeds President Obama's plea for a bipartisan solution.

I think one Democrat, learning of the majority leader's action, said it best:

> Most Americans don't honestly believe that a single political party has all the good ideas. I hope the majority leader will reconsider.''

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from Oklahoma for 2 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SCHUMER. Mr. President, I have to object because the vote was set for 9:55.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, we have had so much partisan gridlock. Today we have a real opportunity to show that this new legislative year can break through that with something meaningful to the American people, a jobs bill. I am hopeful that many colleagues on the other side of the aisle will join us. There has been great input from Senator INHOFE and Senator HATCH. These are people who are conservative, have different voting records than I, but they say we have to do something. I thank the new Senator from Massachusetts for leading the way and breaking through the miasma. This is a good, focused bill. It is a modest bill, but it will do some good for the hundreds of thousands and perhaps millions who are looking desperately for work. When they find jobs, our economy begins to move forward. That is long overdue.

Both sides of the aisle can show the American people we have heard them by overwhelmingly passing this well-crafted, well-honed, modest piece of legislation aimed at issue No. 1: jobs and the economy.

I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the question is on agreeing to the motion offered by the Senator from Maryland, Mr. CARDIN, to waive the Budget Act and budget resolutions with respect to the motion offered by the Senator from Nevada, Mr. REID, to concur with an amendment in the House amendment to the Senate amendment to H.R. 2847.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Michigan (Mr. LEVIN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 24 Leg.]

YEAS—62

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Franken	Pryor
Begich	Gillibrand	Reed
Bennet	Hagan	Reid
Bingaman	Harkin	Rockefeller
Bond	Inhofe	Sanders
Boxer	Inouye	Schumer
Brown (MA)	Johnson	Shaheen
Brown (OH)	Kaufman	Snowe
Burris	Kerry	Specter
Byrd	Klobuchar	Stabenow
Cantwell	Kohl	Tester
Cardin	Landrieu	Udall (CO)
Carper	Leahy	Udall (NM)
Casey	Lieberman	Voinovich
Collins	Lincoln	Warner
Conrad	McCaskill	Webb
Dodd	Menendez	Whitehouse
Dorgan	Merkley	Wyden
Durbin	Mikulski	

NAYS—34

Alexander	Brownback	Chambliss
Barrasso	Bunning	Coburn
Bennett	Burr	Cochran

Corker	Hatch	Risch
Cornyn	Isakson	Roberts
Crapo	Johanns	Sessions
DeMint	Kyl	Shelby
Ensign	LeMieux	Thune
Enzi	Lugar	Vitter
Graham	McConnell	Wicker
Grassley	Murkowski	
Gregg	Nelson (NE)	

NOT VOTING—4

Hutchison	Levin
Lautenberg	McCain

The ACTING PRESIDENT pro tempore. On this vote the yeas are 62, the nays are 34. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, amendment No. 3311 is withdrawn.

The question is on agreeing to the motion to concur with an amendment to the House amendment to the Senate amendment to H.R. 2847.

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 28, as follows:

[Rollcall Vote No. 25 Leg.]

YEAS—70

Akaka	Feingold	Murkowski
Alexander	Feinstein	Murray
Baucus	Franken	Nelson (FL)
Bayh	Gillibrand	Pryor
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bingaman	Hatch	Rockefeller
Bond	Inhofe	Sanders
Boxer	Inouye	Schumer
Brown (MA)	Johnson	Shaheen
Brown (OH)	Kaufman	Snowe
Burr	Kerry	Specter
Burris	Klobuchar	Stabenow
Byrd	Kohl	Tester
Cantwell	Landrieu	Udall (CO)
Cardin	Leahy	Udall (NM)
Carper	LeMieux	Voinovich
Casey	Levin	Warner
Cochran	Lieberman	Webb
Collins	Lincoln	Whitehouse
Conrad	McCaskill	Wicker
Dodd	Menendez	Wyden
Dorgan	Merkley	
Durbin	Mikulski	

NAYS—28

Barrasso	Ensign	McConnell
Bennett	Enzi	Nelson (NE)
Brownback	Graham	Risch
Bunning	Grassley	Roberts
Chambliss	Gregg	Sessions
Coburn	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Kyl	Vitter
Crapo	Lugar	
DeMint	McCain	

NOT VOTING—2

Hutchison	Lautenberg

The motion was agreed to.

Mr. KAUFMAN. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The bill, H.R. 2847, as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois is recognized.

BLACK HISTORY MONTH

Mr. BURRIS. Mr. President, this Monday, I was honored to stand before this Chamber and read George Washington's Farewell Address. This annual tradition invites Members of the Senate, as well as the American people, to pause and reflect on the wisdom of our first President.

In this historic text, the father of our country lays out a unique view of the Nation he helped to create. It is a testament to the American spirit and a tribute to the American people that this country has come such a long way since the days of our ancestors.

Washington's vision was especially poignant to me, having traced my personal ancestry back to the days of slavery.

As I looked out over this Chamber on Monday, I thought about the reasons we celebrate each February as Black History Month. This year, as Black History Month draws to a close, I cannot help but reflect that Washington's address reminds us that Black history and American history are inseparable from one another; that the American story cannot be distilled into the Black experience and the White experience but that both are essential components of the American experience.

The story of this country is a story of expanding equality and opportunity, of people and institutions grappling with social change and striving to live up to the promise of a single line in the Declaration of Independence which laid out the creed that came to define this Nation:

> We hold these truths to be self-evident, that all men are created equal. . . .

With these simple words, a slave owner named Thomas Jefferson laid the cornerstone of the free America we know today, even if the noble sentiment was not realized for all Americans until more than a century later. Although we have seen such injustice—though our journey toward freedom and equality is far from over—we can draw great strength from the promise that was woven into the fabric of our Nation on the day we declared our independence.

Black History Month is a time to remember those who have taken part in every step of that ongoing journey and to celebrate the legacy they have left behind for each of us.

At every moment in our past, African Americans have stood shoulder to shoulder with their countrymen from all races, backgrounds, and walks of life to help chart our course and define who we are to become: from the slaves who laid the very foundation of this Capitol Building to the businessmen and entrepreneurs who helped build our modern economy; from the ''King'' who dared to dream of an America he would never live to see to the President who reached the mountaintop; from the man who was born into the bonds of slavery to his great grandson who stands today before his peers in the Senate.

Each of these stories, however ordinary or remarkable, illustrates how Black history is woven deeply into the broad canvas of American history and why the two are inseparable from one another.

For me, this reality was brought to life the moment I stood at the front of this Chamber and began to read the words that our first President wrote to his countrymen more than two centuries ago. Yet it was the visionary leadership and high ideals of men such as Washington and Jefferson which transcended the prejudice of their times and made it possible for later generations to tear those inequalities to the ground.

All Americans have benefited from this profound legacy. We all have an interest in preserving the history we share.

In the closing days of this Black History Month, I urge my colleagues to reflect not only on the ways African Americans have contributed to American history but also on the ways we can move forward together as one Nation, just as Washington calls us to do in his Farewell Address.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNITED STATES CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009

Mr. REID. Mr. President, I ask the Chair to lay before the Senate a message from the House with respect to H.R. 1299, the U.S. Capitol Police administrative authorities.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House.

The legislative clerk read as follows:

> Resolved, that the House agree to the amendment of the Senate to the bill (H.R. 1299) entitled ''An Act to make technical corrections to the laws affecting certain administrative authorities of the United States

Capitol Police, and for other purposes,'' with a House amendment to the Senate amendment.

CLOTURE MOTION

Mr. REID. I move to concur in the House amendment to the Senate amendment, and I have a cloture motion at the desk on the motion to concur.

The PRESIDING OFFICER (Mrs. HAGAN). 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 concur in the House amendment to the Senate amendment to H.R. 1299, the United States Capitol Police Administrative Technical Corrections Act.

Harry Reid, Byron L. Dorgan, Russell D. Feingold, Patrick J. Leahy, Daniel K. Inouye, Kay R. Hagan, Jeff Bingaman, Robert Menendez, Richard J. Durbin, Jack Reed, Mark Begich, Patty Murray, Bernard Sanders, Robert P. Casey, Jr., Barbara Boxer, Jon Tester, John D. Rockefeller IV.

Mr. REID. Madam President, I thought it was important that the clerk read those names. Sometimes they are hard to read.

AMENDMENT NO. 3326

I move to concur in the House amendment with an amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment with an amendment numbered 3326.

The amendment is as follows:

At the end of the amendment, insert the following:

The provisions of this Act shall become effective 5 days after enactment.

Mr. REID. I now ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3327 TO AMENDMENT NO. 3326

Mr. REID. Madam President, I have a second-degree amendment now at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3327 to amendment No. 3326.

The amendment is as follows:

In the amendment, strike ''5'' and insert ''4''.

MOTION TO REFER WITH AMENDMENT NO. 3328

Mr. REID. Madam President, I move to refer with instructions, which is also at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message to the Senate Committee on Rules with instructions to report back forthwith, with an amendment numbered 3328.

The amendment is as follows:

At the end, insert the following:

The Senate Rules Committee is requested to study the benefit of enacting a travel promotion measure, and the impact on job creation by its enactment.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3329

Mr. REID. Madam President, I have an amendment to my instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3329 to the instructions of the motion to refer.

The amendment is as follows:

At the end, insert the following:

''and include reasonable statistics of job creation.''

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3330 TO AMENDMENT NO. 3329

Mr. REID. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3330 to amendment No. 3329.

The amendment is as follows:

At the end, insert the following:

''including specific data on the types of jobs created.''

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum be waived with respect to the cloture motion.

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

Mr. REID. Madam President, I say for the benefit of Members, under the rules, this cloture motion will ripen Friday morning. I do not think there is going to be a lot of talk during the next 2 days on this matter, and I would certainly be happy to move up this time and have the vote earlier. But we will wait until we hear from the Republicans.

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. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REED. Madam President, we have today taken a very strong, positive step forward in terms of responding to the No. 1 crisis in our economy, and that is jobs for all of our people. Under Leader REID's leadership, we were able to get a bill through, with a huge majority, and it signals, I hope, not only attention to jobs but also the willingness and the ability to find common ground to serve the people of our country.

We are now on the travel promotion bill, which is another piece of legislation designed to encourage job creation in the travel industry. All of this is good news. The legislation we propose this morning combines elements of tax breaks for small businesses so they can expense their items, increase their cashflow, and hire more people with credits for hiring people. There is a huge investment in our infrastructure, which will put people to work in the building industry and in industries that supply all these infrastructure projects, and there is also a significant commitment to Build America Bonds. These are good programs, and they are fully paid for.

We are now taking up the challenge to put people to work, to do it in a responsible way, and to do so in a way that we can attract bipartisan support. But there is much more to do. There is the recognition that we have to not only create jobs but for the foreseeable future deal with those people who have been looking unsuccessfully for jobs and who are unemployed. In my home State of Rhode Island, the unemployment rate is 12.9 percent. That is the official rate. Unofficially, it is much higher, as many people have dropped out of the workforce. If you look at sectors in terms of ethnicity or age, the numbers are even more startling. The bill we passed this morning is a good first step forward, but we have to do much more.

I think one of the first jobs we have to address is the extension of unemployment benefits. They will expire this Sunday. We have to recognize that, despite many efforts here, there are millions of Americans who are looking every day and not finding work. They need support.

All of the economists who have looked at these programs indicated that not only do they support individuals and families, they provide a tremendous multiplier of economic activity for every dollar we commit to the program. There is, as they say, a big bang for the buck. People who are without a job will take their benefits and invariably they will have to support themselves in terms of going to the grocery store—doing the things you have to do just to get by day by day. They are not typically saving this money. That helps in the sense of increasing demand in the economy overall, increasing our economic growth.

If Congress fails to act swiftly, 1,200 Rhode Islanders will start losing their benefits each week. It is a small State

and that is a big number. We have never before in our history, at least postwar history, ever terminated extended unemployment and emergency unemployment benefits until unemployment was at least 7.4 percent. At that point it appears, in most cases, that there is a self-sustaining economic growth that will itself begin to continue to lower the unemployment rate. We are far from 7.4 percent. As I said, in my State it is 12.9. The national average is hovering around 10.

We have to do this. Congress has acted eight times—1958, 1961, 1971, 1974, 1982, 1991, 2002, 2008—to establish temporary federal unemployment benefit programs beyond regular unemployment compensation and extended benefits. Not to extend these benefits would essentially reject the consistent record of this Congress of helping Americans when the unemployment rate has reached such extraordinary proportions as it is today, whether the majority is Republican or Democrat. Last November, we did approve, without opposition, an expansion of up to 20 weeks, but now we need to pass a further extension.

As I said before, this is not just about helping families and individuals, it is also about helping the economy. For every $1 we invest in our unemployment benefits, we see $1.90 in economic activity overall throughout the economy.

One of the reasons I heard to oppose this morning's legislation: There is not enough demand to justify these tax incentives; they will not be used.

One of the things that does generate demand, consumer demand particularly, is the unemployment compensation program. It is not the way we want to do it. What we would like to see is a productive economy with jobs where the demand comes not only from people working but their being compensated and also being able, with discretionary income, to make consumption choices that today they cannot.

As I said before, we have to think about an agenda for jobs. We passed one piece of legislation today. We are discussing the travel legislation at this moment. We have to then move to the legislation with respect to unemployment compensation. We also have to think about supporting the States with additional FMAP, that is, the funds for Medicaid, because, again, not only will that help our States, but without it you are going to see a contraction in our health care industry in terms of hospitals being able to hire or willing to hire. So we have many steps to go forward.

One aspect of this issue, which I would like to mention is that many of these programs we have talked about—for example, the tax credits for hiring—are nationwide and they miss the point that there are some areas that are much more affected by unemployment than other areas. We have States—and their good fortune is something we should be proud of—that have rates as low as 4.7 percent for unemployment. Yet they will qualify for these general, generic programs.

As we go forward and start thinking about additional steps, I think we also have to think about how we can target those programs to areas that have critical unemployment situations. Rhode Island, at 12.9 percent, is one, but there are many others. If you look within States, there are regions that have significant unemployment problems. Again, we have taken steps to extend our benefits, but as we go forward, as we consider additional legislation, let's also think seriously about how to make it more effective, more efficient, more targeted.

I again urge all my colleagues to continue the effort and spirit which resulted today in an overwhelming vote for a program that will help Americans and move our country and our economy forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

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

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

Mr. DORGAN. Mr. President, the legislation on the floor of the Senate at this point includes legislation that I have worked on with my colleagues for about 3 years. It is a bipartisan piece of legislation called the Travel Promotion Act. I wish to talk just a bit about it today, but before I do, let me describe the reasons for its importance.

When we began to put this together—as I said, 3 years ago last month, working with a good number of sectors in our economy to try to evaluate how do we promote international tourism to the United States—we were not in a very deep recession. We were in a period of economic growth. In the intervening period, our country has fallen into a very significant and deep recession. It makes the urgency all that much greater to create new jobs and to do so as soon as possible.

Somewhere around 15 million to 17 million people, according to official estimates, woke up this morning in this country of ours without a job. They want a job. They want work. They have looked for work, but they can't find a job in the United States of America.

Now, that number of 15 million to 17 million is ominous enough. Just think of one person this morning who woke up not able to work because they can't find a job, and then think of 15 million or 17 million, and then fast-forward and think of perhaps 25 million to 26 million, which is what is estimated to be the total population of people who are unemployed in America, many of whom have stopped looking for work because they couldn't find work at all. This is a very big problem, and it affects our country in many ways. It affects the economy in a devastating way. It is very hard on American families when they are not able to find work to be able to take care of themselves. It results in more Federal spending for unemployment insurance and the other things. So we are trying to find ways to put people back to work.

Earlier this week we passed, with the leadership of Senator REID and many others—work that I and Senator DURBIN, Senator SCHUMER, and many others have done—a jobs bill that will begin putting people back to work when it is signed by the President. The legislation that Senator REID brought to the floor today includes the Travel Promotion Act, which will also put people back to work. I wish to talk through this and explain why this is important.

Let me begin by saying that on 9/11/2001, we were the victims of a devastating terrorist attack on our country. Thousands of Americans were killed that day. As a result, since that period of time we have been engaged in an effort to prevent terrorism, to track down the terrorists and destroy the terrorist networks that would visit that kind of tragedy upon our country. But also during that period and following, it became clear to the rest of the world that our country was clamping down on visitation to our country. Many people believed: The United States doesn't want us to visit them anymore. It is harder to get a visa to come to the United States. We are not welcome in the United States. So what happened was, there was a dramatic reduction in visitation to our country by overseas travelers.

Why is that important? When you have millions of people who are traveling around the world to go experience and see the sights and take vacations and so on, they are spending a fair amount of money on those trips. They are creating jobs in many areas, not just hotels and cars and restaurants and so on but in many other areas as well. Our country, for the last 6 to 8 years, has had the experience in which the rest of the world has said: We are going to visit Italy, France, Japan, and India. But fewer of us are going to visit the United States of America.

In fact, we have seen a circumstance where after 9/11, we had fewer and fewer visitors coming to our country; that is, fewer than came before, and last year, in 2009, we had 2.4 million fewer people visit our country than visited our country in the year 2000. Let me say that again because I think it is important. We had 2.4 million fewer people come to the United States of America to visit as overseas travelers than visited in the year 2000.

The Presiding Officer is from the State of New Mexico. It is a wonderful State, and I know it is a State that attracts a lot of visitation not only from people in our country but from people

who come from outside of America to see the wonders of New Mexico. But it doesn't matter whether it is the wonders of New Mexico or Old Faithful in Yellowstone or Niagara Falls or you name it—the cities or the wonders of our country, the great national parks—2.4 million fewer people showed up last year to visit our country.

Let me explain why that has happened. Here are some headlines. The Sydney Morning Herald, Sydney, Australia, headline: ''Coming to America Isn't Easy.'' It describes the difficulty of getting visas and coming to America.

The Guardian in England says: ''America: More Hassle Than it's Worth?'' Again, difficulty coming to America.

The Sunday Times in London: ''Travel to America? No Thanks,'' says the headline.

The newspaper says:

> It is already a nightmare, but now they want to make entry into the U.S. tougher, so let's not go.

Well, let me describe what is happening in other countries at the same time we are taking leave on this issue. Other countries are very busy advertising to the world to say: Are you traveling? Are you taking a vacation? Are you seeing the world? Come to our country. Come to see what is happening.

The poster says: Looking for an experience to remember? Be part of an adventure you will never forget. Come and see Australia. See the wonders. It is true what they say: To find yourself sometimes you need to lose yourself. In Australia they call this ''going walkabout.'' So a big campaign: If you are traveling, come to Australia. Come and see what we have to offer.

A campaign for the Emerald Isle: Go where Ireland takes you. If you are taking a trip, be sure and visit Ireland. Come to Ireland, it says. It is an international campaign.

Japan says: Sweet secrets from Japan. With its many unique culinary arts, they entice travelers; a stunning array of specialties, and on and on. Come to Japan. Thinking of traveling? Show up in Japan.

Are you taking a trip with your family? How about coming to the Eiffel Tower. Come to France in 2009. Vive la France. So France and Japan and India and Ireland say: Come and see us.

Belgium's national campaign says: If you are traveling with your family, come to Belgium where fun is always in fashion.

> Brussels, sophisticated simplicity, the capital of cool.

I think you get the point. This one says:

> One special reason to visit India in 2009. Any time is a good time to visit the land of Taj, but there is no time like now.

So we have millions of people traveling around the world. On average, overseas travelers spend over $4,000. All of these countries are saying to those overseas travelers: Come to our country. See our country and the wonders of what we have to offer the world.

In the United States of America, we have not done that. That is why, in my judgment, at least in part, we had 2.4 million fewer visitors last year than we had in 2000. That is pretty unbelievable.

This proposition is simple. There is a problem. The number of people between the years 2000 and 2009 visiting other countries—overseas travel—has increased by 31 percent. During the same period the number of overseas travelers coming to the United States has decreased nearly 10 percent. So overseas travel is up, but travel to America is down.

There is another important point here. There has been a lot of polling done, and it is clear that to visit America is to have great respect for and love for this country. There is almost no one who comes to this country and tours and travels and visits our country who doesn't leave America with a special understanding of the wonders of this great place. At a time when we want people to understand more about our country, we ought to be inviting them here and saying: Come to America, see what we have to offer.

We ought to be engaged in this process, but we are not. This legislation we are bringing to the floor of the Senate is legislation that will actually increase jobs, we think, by close to 40,000 jobs, according to the estimates. So you will increase 40,000 jobs and, in addition to that, the CBO says this will reduce the Federal budget deficit by nearly $½ billion. How many pieces of legislation come to the floor of the Senate that will both create jobs and reduce the budget deficit and also give us the opportunity to tell the rest of the world what a wonderful and great place this country is?

That is the reason for this legislation. As we build, one step at a time, opportunities to create additional jobs, this is part of it. The Congressional Budget Office has said that enacting S. 1023 would reduce the budget deficit. I think it will do that and help our country.

The specifics of this legislation will encourage international travel to all parts of this country. I think it will provide economic growth to all parts of our country. This creates a corporation for travel promotion. That is what we create—an independent, nonprofit corporation to be governed by an 11-member board of directors appointed by the Secretary of Commerce, and it creates the Office of Travel Promotion in the Department of Commerce—one that used to exist but no longer does, and it hasn't for a long while.

The purpose of this is to engage in the kind of campaign that exists in most other countries in the world and to say to those traveling around the world: Come here. You are welcome here. We want you here. Come and understand and experience this country called the United States of America.

Let me pay special attention to the work Senator REID has done, and Senator ENSIGN who is a cosponsor and worked on this in the Commerce Committee with me, Senator INOUYE, Senator VITTER, and Senator KLOBUCHAR. Let me say that Senator KLOBUCHAR, in the Commerce Committee working on tourism following my chairmanship of the tourism subcommittee, has taken on this issue with gusto and is a very important part of getting this done. My hope is that when we finish this, when the President signs this bill, all of us will understand that at a time when there is so much partisanship, and when it appears to the American people that so little can be agreed upon and that so little gets done—there is all that notion out there—the fact is, this is bipartisan, good for the country, will reduce the budget deficit, and it will increase jobs and put people back to work.

If ever something had all of the things that are necessary to have merit and to be worthy, this legislation surely does that.

My colleague from Minnesota, Senator KLOBUCHAR, as I indicated, has done yeoman's work with me and others to put this together. We hope, of course, those who would come to our country would especially visit North Dakota and Minnesota and stay for a very long period of time—yes, we all have parochial interests—and perhaps North Dakota even more than Minnesota, I might say from my own perspective. I do think it is seldom that we can come to the floor and say here is a piece of legislation that Republicans and Democrats support.

We had one vote on it already. It had 79 votes in support in the Senate. Seldom can we say here is a bill that is bipartisan that does a lot of good things for our country.

Thanks to the majority leader for putting this back on the floor. I congratulate him for his work on it and my colleague Senator KLOBUCHAR as well.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

Ms. KLOBUCHAR. Mr. President, I thank Senator DORGAN for his great leadership. For so long, he has been working on this. I have a feeling this is finally going to get done. It is true and we invite the Presiding Officer to visit North Dakota and Minnesota. I think he thinks the State of New Mexico is pretty cool, but he has never been to Teddy Roosevelt Park in North Dakota.

So often marketing campaigns for our country are done by specific cities such as Las Vegas and New York, which is important. But when you look

at this country, marketing our country as a whole is going to mean something. We are competing against countries the world over that do this all the time. That is why we have seen a 20-percent decrease in international visitors.

When I held a hearing on this issue, along with former Senator Martinez, this past year, there was a story in the Washington Post, in good humor, about all the Senators hawking their own States and the deals you could get—whether it was Senator BEGICH's $99 cruise in Alaska or the stuff I talked about with Duluth, MN. We were doing that because people need to know about the opportunities in America. Doing it at a Commerce Committee hearing is not going to be anything compared to what France, Indonesia, and other countries are doing. They are bringing in visitors. They spend thousands and thousands of dollars.

We are doing this jobs bill this week, and an important part of that is the travel industry because it employs one out of eight Americans.

What will this bill do? One, as Senator DORGAN mentioned, it will give us the ability to market our country. Second, it will give us the funds we need to better process the visas because it is expected to bring in—and this is the estimate of the nonpartisan organization—1.6 million new international visitors each year. They spend $4,500 on average when they come here. You can do the math—1.6 million new visitors times $4,500 every single year. There is some expectation that the bill could generate $4 billion in new spending and $321 million in Federal tax revenue. In addition, the bill is estimated to create 41,000 new jobs.

What is the cost to the taxpayer? I have been pushing on deficit reduction, but what is the cost to the taxpayer? Zero. I think that is a great thing about this bill. We are doing something to create jobs. We are doing it at zero cost. As you know, there is a small fee on foreign visitors to our country, like other countries do to our people when they visit—with Canada exempted.

What I found out is that the people who care about this bill are not just in the Halls of Congress and in our major cities. When I was in Grand Marais, International Falls, Bemidji, and the Brainerd Lakes area—home of the statue of Paul Bunion and Babe the Blue Ox—they were excited about this because they have seen a decrease in visitors from Canada. They want to be able to market our country.

We have gotten so far behind. A lot of people living in, say, France are deciding where to go on their summer vacation. They are thinking: Am I going to go to America, where maybe it will take months to process my visa, or am I going to spend my vacation in England, just across the channel or maybe I will go to Mexico. That is what is happening. That is where we have lost 20 percent of the overseas travel.

Look at this chart. There were 48 million more global overseas travelers in 2008 than in 2000. More people are traveling. We have seen the marketing power across this world. There were 633,000 fewer who have visited the United States than in 2000. So world travel is going up. You can see the big increase globally. But the number of people coming to the United States has gone down. That means less jobs in this country.

Mr. President, I believe we need to be on an equal playing field with the rest of the world. If we want to compete in our goods that we want to produce and send overseas, we also have to compete in the tourism market. In Duluth, MN, it was hard times in the 1980s. It was so bad that they put up a billboard that said:

> Will the last person to leave turn off the lights.

They rebuilt because they were smart; the businesses were smart about tourism. They have beautiful Lake Superior right there. When we did a tourism hearing—a field hearing there—they were talking about, obviously, how in many areas of the country, with the recession, business in convention centers had gone down nationally, and someone whispered, ''Ours has gone up.'' People are looking for different things, and maybe we will have our convention in Duluth, which is a little less expensive. They can look at Lake Superior instead of looking at the Pacific Ocean.

We are proud of this country, and we want other people to visit. We want them to spend their money in America and help create 41,000 new jobs. That is what this bill is about. I am very hopeful that we are going to finally get this bill passed and support the tourism part of our economy, which employs one in eight Americans. Let's keep it strong and going.

I see that Senator DORGAN is back. I thank him so much for his tremendous leadership. I am proud that I got the opportunity to take over the subcommittee that deals with tourism. A lot of the work had been done on this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I mentioned that there are incremental ways to create jobs, which is important. Senator REID has taken the lead to bring bills to the floor to do that with, earlier this week, the jobs bill that was passed and, in addition, the Travel Promotion Act.

I want to mention as well that the majority leader indicated he intends to bring the FAA Preauthorization Act to the floor of the Senate, probably during this work period. It is also going to be job creating. I chaired the Aviation Subcommittee in the Senate. It is very important that we reauthorize the FAA and pass the legislation called NextGen, to do the next generation of air traffic control systems. We have an archaic system of ground-based radar that controls the airplanes in the American skies.

Most people are walking around with cell phones that have a much more sophisticated way of tracking anything—a GPS. Most kids have the opportunity to be able to track—if their friends want them to—the location of their friends at any moment. They can track up to 20 friends.

Teenage kids can track their friends, but we cannot track an airplane in the sky with a GPS. More commercial airliners are not equipped. We don't have the NextGen system that would modernize our air traffic control system and allow them to fly more direct routes from place to place, with less spacing, using less fuel, better for the environment. All of those things will be capable when we modernize the air traffic control system and go from a ground-based system to a GPS system for aviation flights.

That is so very important. It is very job creating.

I appreciate the majority leader saying that needs to be a priority to bring to the floor, get to a conference with the House, and get a bill passed and signed by the President.

There are also safety issues we have to deal with in the FAA Reauthorization Act. Tomorrow I will be chairing a hearing in the Commerce Subcommittee on Aviation on the Colgan crash in Buffalo, NY, the tragedy that occurred on that winter icy evening, in which the Dash 8 crashed and took the lives of so many wonderful people and took the life of the pilot and copilot as well.

There are so many questions about that flight and the circumstances that led to the crash. The National Transportation Safety Board will be testifying tomorrow at my subcommittee. I will not go into all of the issues, but the issue of pilot fatigue, the issue of training—so many different issues—the icing issue that occurred that evening. It will be a very important hearing tomorrow.

The reason I raise it is the safety issue is so important. Yes, we have a system in which we fly people all over this country and the world. We have not had fatal accidents, by and large, in commercial aviation. It has been enormously safe. The most recent accidents have been accidents that have been very substantially investigated. The Colgan crash in Buffalo, NY, has been investigated now at great length, and we will have the results of that and a discussion of that at our subcommittee hearing tomorrow. That will also give us a roadmap of what we might need to address in the FAA reauthorization bill on the safety issues.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Mr. President, I wish to speak just briefly about today's vote. Today, this body, in a rare but very welcome moment of at least partial bipartisanship, voted to pass Leader REID's jobs bill. While that bill does not include every provision I would like to see, it is certainly an important step, and I commend my colleagues from both parties for supporting these provisions to put people back to work.

As a Senator from Rhode Island, which currently faces one of the highest unemployment rates in the Nation, at near 13 percent—I know the help contained in this bill, which builds on the programs we passed last year in the Recovery Act, cannot come soon enough. I hope the vote is a watershed.

Over the past few months, I have heard from hundreds of Rhode Islanders who are struggling just to find work. I have heard from Carole in North Providence, RI, who had worked all her life but was laid off 2 years ago from her position as a construction project manager. Carole has a bachelor's degree in business administration and an associate's degree in architecture and she has plenty of experience as a construction project manager. But for 2 years, she has been unable to find any work—talented, hard working, and unemployed.

I also heard from Nathaniel in Coventry, RI, who recently graduated from law school. That is a wonderful achievement and is ordinarily a benchmark that kids pass through on the way to success—certainly to employment. But Nathaniel is carrying $100,000 in student loans and cannot find a job.

I heard from Brian in Saunderstown, an unemployed construction worker who has been unable to find a job for more than a year. He has been receiving unemployment benefits, but he is justifiably concerned that those, too, might soon run out. He loves to work. He doesn't want to be on unemployment. But right now, in this economy, there is no other option for Brian and for his family.

Leader REID's jobs bill—the HIRE Act—will help put Rhode Islanders back to work. The bill provides a payroll tax holiday for businesses to encourage hiring, increased cashflow for small businesses that can be used for investments and payroll expansion, and an expansion of the Build America Bonds program to subsidize and encourage local infrastructure projects. In addition, the HIRE Act extends Federal highway funding through the end of the year, which will make a $225 million difference for Rhode Island alone in 2010.

This legislation will be a big help for my home State, but it is only a first step toward restoring economic growth. It is certainly not the last step we need to take in this work session. As I said, I hope the vote yesterday and today is a watershed. Outside in Washington, the heavy snows of February are melting away. Perhaps—just perhaps—the blockade that has stifled the Senate is melting away a little also.

We must now act to extend unemployment insurance and COBRA subsidies to make sure unemployed workers, such as Brian, and their families continue to be able to pay their bills and to maintain their family health insurance coverage. I hope we will soon thereafter turn to new investments in our failing transportation, water, and school infrastructure.

We had a hearing in the Budget Committee this morning with Transportation Secretary LaHood, and he agreed very strongly that where you have decrepit infrastructure—and everyone knows the United States of America has an enormous deficit of decrepit infrastructure—we are going to need to repair that sooner or later.

If we need to repair it sooner or later, why not do it now, while we need the jobs? If we need to repair it sooner or later, repairing it now does not add anything to our Nation's long-term liabilities. Indeed, under the old Yankee principle that a stitch in time saves nine, under the commonsense principle that when you get to maintenance and repair earlier rather than later, it costs less to do the maintenance and repair, there is actually a very strong case to be made that there are net savings from moving the repair of our decrepit infrastructure forward. So it is really a win-win, as Secretary LaHood acknowledged.

I look forward to continuing to work with my colleagues as we go forward past today's watershed votes and into the following votes to help restore our economy and meet the needs of Carole and Nathaniel and Brian and millions of Americans who are unemployed and need help now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

AFRICA

Mr. DURBIN. Last week I joined my colleague Senator SHERROD BROWN of Ohio on a trip to East Africa. It was an important trip that took us to Tanzania, the Democratic Republic of Congo, Ethiopia, and Sudan. We went in to observe American development assistance, to look at programs that help the victims of HIV and AIDS, tuberculosis, malaria, child and maternal mortality, victims of sexual violence, clean water, sanitation issues, democracy, governments, refugees.

In a matter of 6 days of traveling on the continent of Africa, Senator BROWN and I did not have much time to ourselves, but we were not planning any. We spent a lot of time meeting with people, meeting with government officials, meeting with individuals who are part of the current political environment of Africa, but also many of their lives are touched by programs in which the United States is involved.

I could not help but notice as I traveled the extraordinarily dedicated Americans who are in our Foreign Service. Many of them are posted in places around the world that are not glamorous by any means. Their jobs are hard and sometimes dangerous, and they go to work every day without complaint. We need to tip our hats to them as Americans. Let me add in there Peace Corps volunteers, many who work for the nongovernment organizations, the NGOs. Many Americans serve our best interests around the world every day without fanfare or praise.

We went to Tanzania. In Mwanza in Tanzania, we encountered a group of young Baylor University doctors who are doing part of their residency at a regional hospital, one that serves a population of several million people. Can you imagine one hospital serving that many people? That is what the people are up against in Africa.

We met a representative from Abbot Labs from my home State of Illinois who was there helping to build a modern laboratory and train local staff for the hospital.

In a small rural village several hours down a dusty, bumpy road from the nearest city, we witnessed a program by the nongovernmental organization CARE that helped build a rudimentary but critically important health clinic.

It is hard to describe this to an American, what an African would call a health clinic. It is, in fact, a building without windows but with openings for air to flow through. It is a building that is so basic it does not have running water or electricity. But it is, in fact, a building where 168 babies were born last year.

When you see this and meet the people who are delivering the babies, you realize that in many parts of Africa health care is very basic. The man who runs this clinic has about a year or two of education beyond high school. The woman who serves him is one who is gifted with not only personal skills but a lot of human experience in delivering babies.

What happens if there is a complication in the middle of this village in the middle of nowhere with no means of communication? Well, they try to get the message to the man who runs the ambulance. The ambulance in Mwanza is a tricycle, a tricycle with a flat bed on the back. They take a woman who is needing a Caesarean section, for example, put her on the back of this tricycle and take her off for a 4-hour trip to the closest hospital. That is maternal and

childcare in Africa, in Tanzania. We are trying to help through the organization CARE that I mentioned earlier.

With their help, they have not only brought them the money necessary for their ambulance, this tricycle, they have helped the local residents develop a savings and loan where their modest earnings they make by selling agricultural produce are banked away for a better day. They are allowed to borrow small units of money for buying sewing machines, which can dramatically change a life in these poor villages, or livestock or to help to pay for their kids to go to school.

In Tanzania as a whole, the PEPFAR program, which is the United States bilateral program for HIV/AIDS, tuberculosis and malaria, and the Global Fund Program, a much larger undertaking from many other countries, have made real progress in HIV, TB, and malaria.

We also visited Ethiopia, a country I have been looking forward to seeing. It has the distinction in Africa of being the only country in Africa that was never colonized. There was a period, a short period of occupation by the Italians. But they have been a kingdom under their own control, except for that period of time since the early parts of the third and fourth century and maybe even before that. They are very proud of their own language, their own customs, their own history. They have tremendous international efforts underway to help the Ethiopian people, who are basically poor, struggling people. They are struggling against the economics of a poor nation, as well as HIV, AIDS, tuberculosis. They are resettling refugees from the war-torn neighboring state of Somalia. They are trying to build a health system.

One program, in particular, was provided by a nongovernmental organization called AMREF in the Kechene slum area of the capital of Addis Ababa. Senator BROWN and I went to this area. It is a slum with 380 people living there, that has basically had to carry in water for years because there was no running water. But because of an AMREF project, they were able to build 22 water kiosks in the country and one in this slum area. It seems like something so simple, but it has changed their lives. They now have a source of safe drinking water. Very near the small little lean-tos they live in, they have two showers for 380 people that they share and can use where they had none before. They have basic sanitation and toilet facilities, which they did not have at all.

We were greeted by two beautiful little girls who gave us flowers and invited us to a coffee ceremony.

They couldn't help but beam with pride as we took a look at the source of water and sanitation that did not exist before. So many thousands of people in Africa spend hours every day carrying water back and forth. Young girls are often denied the opportunity to go to school because they have work to do. They have to carry water. Something as basic as water that we take for granted becomes a centerpiece in their lives every single day. Improvements are being made in Ethiopia and other places. I returned to Goma in the Democratic Republic of Congo. It is in the eastern section of that country. The capital, Kinshasa, is far west and removed not only physically but politically from many of the things happening in eastern Congo.

I try to describe Goma to those who haven't been there. It is almost impossible. Imagine one of the poorest places on Earth, where people are literally starving, where they are facing the scourge of disease, where malaria is the biggest killer of children. Imagine HIV/AIDS and the problems they face with that. Then superimpose over that the misfortune of an ongoing war that has been taking place in the eastern part of the Democratic Republic of Congo for years. There is an ongoing debate about how many people have been killed in this war. The debate ranges from the low number of about 2½ million to the high number of 6 million, and they debate very violently about whether it is 6 or 2½ million. Regardless of which number, it is an outrage. It is a genocide which is occurring in this section of Africa with little or no attention from anyone.

What has caused this? Their neighbor is Rwanda. If you recall, in Rwanda, I believe the year was 1994, a terrible genocide killed 800,000 people in the span of a matter of days. Those who were accused of the genocidal acts, many of them escaped into the neighboring country of Congo and set up their armed militias. They continued their violence. Not only is Goma an area the surrounding towns and villages fought over, it also happens to be an area that is dominated by a volcano which erupted in 2002 and killed hundreds of people and destroyed thousands of basic shelters. It is also an area filled with minerals and timber, gold, diamonds, basic minerals needed for the cell phones we take for granted every single day. There is money to be made, even if you just take out your shovel and dig into the hillside and find some of these for sale. It is a rich area in mineral resources.

It is also rich in other resources. Dian Fossey has her operation there for the silverback gorillas, which many of us have seen on television. They are caught in the middle of the crossfire of the civil war. I came back to Goma. I had been there several years ago. I was surprised at how many people said they remembered I had been there and never thought I would return because few people do; it is such a hard, difficult place. We visited a hospital there called Heal Africa. We were greeted by a lady with a British accent. As I came in, she said: Welcome back. I thought she made a mistake. She thinks I am somebody else. It turns out that, in fact, I had visited her hospital 5 years ago. It had changed so much, I didn't recognize it, but she was still there.

Her name is Lynne Lucy. Her husband Joe is a Congolese surgeon and they married years ago and decided to start a hospital for the poorest people in that part of Congo. They focus on children with club feet and cleft palates. They focus on trauma victims, setting fractures, victims of fires, and other accidents that occur. Their major area of focus is on the women who are the victims of the civil war. One of the most horrible things about this war isn't only that people die, but they have now built in hideous torture techniques as part of this civil war. Women are raped and gang raped and children are mutilated in hideous, awful ways. They bring them into this hospital and try to rebuild their bodies and rebuild their lives. God bless them for doing it, Joe and Lynne Lucy.

When I was there last, I worried because they only had a handful of doctors. This time I walked into a classroom filled with doctors. Standing in front of them was a doctor from the University of Wisconsin, right smackdab in a part of the Midwest of which I am proud to be a part, training these doctors on how to treat these poor people. There is evidence of the caring and compassionate people of the United States all around the world. In this sad situation in Goma, certainly it is needed.

We have a 20,000-member U.N. peacekeeping force known as MONUC that has been in the area for more than 10 years trying to bring peace. Unfortunately, rebel groups continue campaigns of brutal violence. Known war criminals such as Jean Bosco Ntaganda continue to play a role in the violence, despite being wanted for awful war crimes. The Congolese military has tried to root out several groups but has embraced others. It is hard to figure out the good and bad people in this conflict. But you can certainly figure out the victims because you see them everywhere.

We went to what is known as an internally displaced persons camp just south of Goma. I find it hard to imagine how people live there. There are 1,800 people living there. Imagine that they are living on volcanic rock. It is hard to walk on it even with shoes because it is jagged and hurts your feet. They live on it. They pitch tents on it. They walk their kids to school on it. We went to a little health clinic there and a baby was handed to me that was a heartbreaking situation, clearly malnourished, who had just been brought in for a few days. They were trying to rescue its life. Many of the children there struggle with basic health needs. They have a school which is better than most would find in their home villages and some security. But each of them told me: We don't have enough food. You look at their sources of water, they are limited. It is a tough situation. These people are there because they were caught in the crossfire of a war that continues. They didn't do

anything wrong. Some of them are trying to rebuild their lives and stay safe in a very difficult situation.

Finally, we had a chance to visit Sudan. I wished to go there because I have stood on the floor so many times and given speeches about Darfur and the genocide that occurred there. In addition to that troubled part of Sudan, there has been an ongoing battle between north and south Sudan which appears to have resolved itself peacefully with an election that will be held in the near future for the national legislature and then early next year to decide if south Sudan will be a separate country. There are about 8 million people living in south Sudan. We traveled on the only road in south Sudan. We met with the man who is Vice President of Sudan now and would be President, I believe, of the new south Sudan, Mr. Salva Kiir. He is a former rebel who fought in the bush for years, surrounded by Governors in south Sudan who went through the same experience. In just a few months, they may need to build a nation. It is a daunting task.

I worry about it because when there is a power vacuum and a failed state in Africa, people move in on it and use it for exploitive and terrorist purposes.

We then went to Khartoum, which is a legendary city in Africa, and met with representatives of the government there, talking about many of the issues they face and the status of Darfur today which, thank God, is more peaceful than in years gone by. One of the more interesting conversations we had in Khartoum was with one of the Ministers. I brought up the issue of global warming, wondering if this man in the middle of Africa, near the Equator, felt there was a need for us to be concerned about global warming.

He said: I can take you 300 meters from where we are meeting now. I will show you the Nile River, and I will show you the impact of global warming. We could walk out into stretches of land that used to be islands in the middle of the river. You can walk there now because the river is so low. Many people in that part of Africa depend on the Nile for irrigation. We believe in global warming.

If you want to know one of the causes of the genocide in Darfur, it was because that area is becoming a desert, and people are fighting over what is left of land that can be cultivated. I think about debates we have had on the floor of the Senate. In fact, there are Senators who proudly say there is no such thing as global warming. I wish they could have been with me in Khartoum and spoken to this man about evidence he is seeing in that faraway place about changing climate and changes in lifestyle, genocide, and war that have followed global warming. It is not just an environmental issue. It is a security issue.

There are frequent debates about the value of U.S. foreign assistance. When Americans are asked, how much do we spend in foreign aid, the most common response is, about 25 percent of the Federal budget. The fact is, it is just over 1 percent in foreign aid around the world. We spend far less as a percentage of our gross domestic product than many nations. But the work we do is so absolutely essential for maintaining life, fighting disease, for making certain that young people have a fighting chance.

President Obama recognizes that. I hope we can have bipartisan support to continue our help with foreign aid, even in this difficult time.

The last issue I will discuss on this trip Senator BROWN and I took is one I will save for a separate presentation. But without fail, in every African nation, I would ask them the same question: What is the presence of China in your nation? Without fail, they would say: It is interesting you would ask.

The Chinese are moving into Africa in a way we should not ignore. They are providing capital assistance and loans to countries all over Africa, which can provide them with minerals and resources for their economy and, ultimately, with markets for their products. Leaders in Africa, such as the President of Ethiopia, say to me: When the West walked away from Africa, China stepped in.

The Chinese have a strategy and a goal. If we don't become sensitive to it and what it will mean to the next generation of people living in each of those countries, we will pay a heavy price. We have to understand that these people now may be in underdeveloped countries and struggling, but tomorrow they will have a middle class, and they will be purchasing goods and services. They will remember that their highways and stadiums and schools were built with loans from the Chinese. Incidentally, those loans come with strings attached. When the Chinese loan money to a country such as Ethiopia, it is so a Chinese construction company can build the project using Chinese engineers, technicians, and workers. So they are providing work projects with the money they are loaning to each country and being repaid in local resources such as oil and minerals.

We can't ignore this reality. It is happening all over the world. The Chinese have a plan. I am not sure America has a plan. We should.

HANDLING OF TERRORIST SUSPECTS

Mr. President, in recent weeks, my Republican colleagues have directed a barrage of criticism at President Obama for his handling of terrorist cases, and I wish to respond.

Let's start with the recent case of Umar Faruk Abdulmutallab, the man who tried to explode a bomb on a plane around Christmas when it was landing in Detroit. My colleagues on the other side have been very critical of the FBI's decision to give Miranda warnings to Abdulmutallab.

The Republican minority leader recently said, referring to Abdulmutallab:

> He was given a 50 minute interrogation, probably Larry King has interrogated people longer and better than that. After which he was assigned a lawyer who told him to shut up.

That is what the minority leader said. But here are the facts. Experienced counterterrorism agents from the FBI interrogated Abdulmutallab when he arrived in Detroit. According to the Justice Department, during this initial interrogation, the FBI ''obtained intelligence that has already proved useful in the fight against Al Qaeda.'' After the interrogation, Abdulmutallab refused to cooperate further with the FBI. Only then, after his refusal, did the FBI give him a Miranda warning. What the FBI did in this case was nothing new. During the Bush administration, the FBI also gave Miranda warnings to terrorists detained in the United States.

I respect Senator MCCONNELL, but I say, respectfully, that he got his facts wrong as stated on the floor of the Senate. Frankly, this unfounded criticism of the FBI and their techniques should be corrected. That is why I stand here today.

Attorney General Eric Holder recently sent a detailed, 5-page letter to Senator MCCONNELL explaining what actually happened in this case.

I ask unanimous consent that it be printed in the RECORD.

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

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, February 3, 2010.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCONNELL: I am writing in reply to your letter of January 26, 2010, inquiring about the decision to charge Umar Farouk Abdulmutallab with federal crimes in connection with the attempted bombing of Northwest Airlines Flight 253 near Detroit on December 25, 2009, rather than detaining him under the law of war. An identical response is being sent to the other Senators who joined in your letter.

The decision to charge Mr. Abdulmutallab in federal court, and the methods used to interrogate him, are fully consistent with the long-established and publicly known policies and practices of the Department of Justice, the FBI, and the United States Government as a whole, as implemented for many years by Administrations of both parties. Those policies and practices, which were not criticized when employed by previous Administrations, have been and remain extremely effective in protecting national security. They are among the many powerful weapons this country can and should use to win the war against al-Qaeda.

I am confident that, as a result of the hard work of the FBI and our career federal prosecutors, we will be able to successfully prosecute Mr. Abdulmutallab under the federal criminal law. I am equally confident that the decision to address Mr. Abdulmutallab's actions through our criminal justice system has not, and will not, compromise our ability to obtain information needed to detect and prevent future attacks. There are many examples of successful terrorism investigations

and prosecutions, both before and after September 11, 2001, in which both of these important objectives have been achieved—all in a manner consistent with our law and our national security interests. Mr. Abdulmutallab was questioned by experienced counterterrorism agents from the FBI in the hours immediately after the failed bombing attempt and provided intelligence, and more recently, he has provided additional intelligence to the FBI that we are actively using to help protect our country. We will continue to share the information we develop with others in the intelligence community and actively follow up on that information around the world.

1. Detention. I made the decision to charge Mr. Abdulmutallab with federal crimes, and to seek his detention in connection with those charges, with the knowledge of, and with no objection from, all other relevant departments of the government. On the evening of December 25 and again on the morning of December 26, the FBI informed its partners in the Intelligence Community that Abdulmutallab would be charged criminally, and no agency objected to this course of action. In the days following December 25—including during a meeting with the President and other senior members of his national security team on January 5—high-level discussions ensued within the Administration in which the possibility of detaining Mr. Abdulmutallab under the law of war was explicitly discussed. No agency supported the use of law of war detention for Abdulmutallab, and no agency has since advised the Department of Justice that an alternative course of action should have been, or should now be, pursued.

Since the September 11, 2001 attacks, the practice of the U.S. government, followed by prior and current Administrations without a single exception, has been to arrest and detain under federal criminal law all terrorist suspects who are apprehended inside the United States. The prior Administration adopted policies expressly endorsing this approach. Under a policy directive issued by President Bush in 2003, for example, ''the Attorney General has lead responsibility for criminal investigations of terrorist acts or terrorist threats by individuals or groups inside the United States, or directed at United States citizens or institutions abroad, where such acts are within the Federal criminal jurisdiction or the United States, as well as for related intelligence collection activities within the United States.'' Homeland Security Presidential Directive 5 (HSPD–5, February 28, 2003). The directive goes on to provide that ''[f]ollowing a terrorist threat or an actual incident that falls within the criminal jurisdiction of the United States, the full capabilities of the United States shall be dedicated, consistent with United States law and with activities of other Federal departments and agencies to protect our national security, to assisting the Attorney General to identify the perpetrators and bring them to justice.''

In keeping with this policy, the Bush Administration used the criminal justice system to convict more than 300 individuals on terrorism-related charges. For example, Richard Reid, a British citizen, was arrested in December 2001 for attempting to ignite a shoe bomb while on a flight from Paris to Miami carrying 184 passengers and 14 crewmembers. He was advised of his right to remain silent and to consult with an attorney within five minutes of being removed from the aircraft (and was read or reminded of these rights a total of four times within 48 hours), pled guilty in October 2002, and is now serving a life sentence in federal prison. In 2003, Iyman Faris, a U.S. citizen from Pakistan, pled guilty to conspiracy and providing material support to al-Qaeda for providing the terrorist organization with information about possible U.S. targets for attack. Among other things, he was tasked by al-Qaeda operatives overseas to assess the Brooklyn Bridge in New York City as a possible post-9/11 target of destruction. After initially providing significant information and assistance to law enforcement personnel, he was sentenced to 20 years in prison. In 2002, the ''Lackawanna Six'' were charged with conspiring, providing, and attempting to provide material support to al-Qaeda based upon their pre-9/11 travel to Afghanistan to train in the Al Farooq camp operated by al-Qaeda. They pled guilty, agreed to cooperate, and were sentenced to terms ranging from seven to ten years in prison. There are many other examples of successful terrorism prosecutions—ranging from Zacarias Moussaoui (convicted in 2006 in connection with the 9/11 attacks and sentenced to life in prison) to Ahmed Omar Abu Ali (convicted in 2005 of conspiracy to assassinate the President and other charges and sentenced to life in prison) to Ahmed Ressam (convicted in 2001 for the Millenium plot to bomb the Los Angeles airport and sentenced to 22 years, a sentence recently reversed as too lenient and remanded for resentencing)—which I am happy to provide upon request.

In fact, two (and only two) persons apprehended in this country in recent times have been held under the law of war. Jose Padilla was arrested on a federal material witness warrant in 2002, and was transferred to law of war custody approximately one month later, after his court-appointed counsel moved to vacate the warrant. Ali Saleh Kahlah Al-Marri was also initially arrested on a material witness warrant in 2001, was indicted on federal criminal charges (unrelated to terrorism) in 2002, and then transferred to law of war custody approximately eighteen months later. In both of these cases, the transfer to law of war custody raised serious statutory and constitutional questions in the courts concerning the lawfulness of the government's actions and spawned lengthy litigation. In Mr. Padilla's case, the United States Court of Appeals for the Second Circuit found that the President did not have the authority to detain him under the law of war. In Mr. Al-Marri's case, the United States Court of Appeals for the Fourth Circuit reversed a prior panel decision and found in a fractured en banc opinion that the President did have authority to detain Mr. Al-Marri, but that he had not been afforded sufficient process to challenge his designation as an enemy combatant. Ultimately, both Al-Marri (in 2009) and Padilla (in 2006) were returned to law enforcement custody, convicted of terrorism charges and sentenced to prison.

When Flight 253 landed in Detroit, the men and women of the FBI and the Department of Justice did precisely what they are trained to do, what their policies require them to do, and what this nation expects them to do. In the face of the emergency, they acted quickly and decisively to ensure the detention and incapacitation of the individual identified as the would-be bomber. They did so by following the established practice and policy of prior and current Administrations, and detained Mr. Abdulmutallab for violations of federal criminal law.

2. Interrogation. The interrogation of Abdulmutallab was handled in accordance with FBI policy that has governed interrogation of every suspected terrorist apprehended in the United States for many years. Across many Administrations, both before and after 9/11, the consistent, well-known, lawful, and publicly-stated policy of the FBI has been to provide Miranda warnings prior to any custodial interrogation conducted inside the United States. The FBI's current Miranda policy, adopted during the prior Administration, provides explicitly that ''[w]ithin the United States, Miranda warnings are required to be given prior to custodial interviews. . . .'' In both terrorism and non-terrorism cases, the widespread experience of law enforcement agencies, including the FBI, is that many defendants will talk and cooperate with law enforcement agents after being informed of their right to remain silent and to consult with an attorney. Examples include L'Houssaine Kherchtou, who was advised of his Miranda rights, cooperated with the government and provided critical intelligence on al-Qaeda, including their interest in using piloted planes as suicide bombers, and Nuradin Abdi, who provided significant information after being repeatedly advised of his Miranda rights over a two-week period. During an international terrorism investigation regarding Operation Crevice, law enforcement agents gained valuable intelligence regarding al-Qaeda military commanders and suspects involved in bombing plots in the U.K. from a defendant who agreed to cooperate after being advised of, and waiving his Miranda rights. Other terrorism subjects cooperate voluntarily with law enforcement without the need to provide Miranda warnings because of the non-custodial nature of the interview or cooperate after their arrest and agree to debriefings in thc presence of their attorneys. Many of these subjects have provided vital intelligence on al-Qaeda, including several members of the Lackawanna Six, described above, who were arrested and provided information about the Al Farooq training camp in Afghanistan; and Mohammad Warsame, who voluntarily submitted to interviews with the FBI and provided intelligence on his contacts with al-Qaeda in Afghanistan. There are other examples which I am happy to provide upon request. There are currently other terrorism suspects who have cooperated and are providing valuable intelligence information whose identities cannot be publicly disclosed.

The initial questioning of Abdulmutallab was conducted without Miranda warnings under a public safety exception that has been recognized by the courts. Subsequent questioning was conducted with Miranda warnings, as required by FBI policy, after consultation between FBI agents in the field and at FBI Headquarters, and career prosecutors in the U.S. Attorney's Office and at the Department of Justice. Neither advising Abdulmutallab of his Miranda rights nor granting him access to counsel prevents us from obtaining intelligence from him, however. On the contrary, history shows that the federal justice system is an extremely effective tool for gathering intelligence. The Department of Justice has a long track record of using the prosecution and sentencing process as a lever to obtain valuable intelligence, and we are actively deploying those tools in this case as well.

Some have argued that had Abdulmutallab been declared an enemy combatant, the government could have held him indefinitely without providing him access to an attorney. But the government's legal authority to do so is far from clear. In fact, when the Bush administration attempted to deny Jose Padilla access to an attorney, a federal judge in New York rejected that position, ruling that Padilla must be allowed to meet with his lawyer. Notably, the judge in that case was Michael Mukasey, my predecessor as Attorney General. In fact, there is no court-approved system currently in place in which suspected terrorists captured inside the United States can be detained and held without access to an attorney; nor is there any known mechanism to persuade an uncooperative individual to talk to the government

that has been proven more effective than the criminal justice system. Moreover, while in some cases defense counsel may advise their clients to remain silent, there are situations in which they properly and wisely encourage cooperation because it is in their client's best interest, given the substantial sentences they might face.

3. The Criminal Justice System as a National Security Tool. As President Obama has made clear repeatedly, we are at war against a dangerous, intelligent, and adaptable enemy. Our goal in this war, as in all others, is to win. Victory means defeating the enemy without damaging the fundamental principles on which our nation was founded. To do that, we must use every weapon at our disposal. Those weapons include direct military action, military justice, intelligence, diplomacy, and civilian law enforcement. Each of these weapons has virtues and strengths, and we use each of them in the appropriate situations.

Over the past year, we have used the criminal justice system to disrupt a number of plots, including one in New York and Colorado that might have been the deadliest attack on our country since September 11, 2001, had it been successful. The backbone of that effort is the combined work of thousands of FBI agents, state and local police officers, career prosecutors, and intelligence officials around the world who go to work every day to help prevent terrorist attacks. I am immensely proud of their efforts. At the same time, we have worked in concert with our partners in the military and the Intelligence Community to support their tremendous work to defeat the terrorists and with our partners overseas who have great faith in our criminal justice system.

The criminal justice system has proven to be one of the most effective weapons available to our government for both incapacitating terrorists and collecting intelligence from them. Removing this highly effective weapon from our arsenal would be as foolish as taking our military and intelligence options off the table against al-Qaeda, and as dangerous. In fact, only by using all of our instruments of national power in concert can we be truly effective. As Attorney General, I am guided not by partisanship or political considerations, but by a commitment to using the most effective course of action in each case, depending on the facts of each case, to protect the American people, defeat our enemies, and ensure the rule of law.

Sincerely,

ERIC H. HOLDER, Jr.

Mr. DURBIN. Here is what General Holder said:

> Across many administrations, both before and after 9/11, the consistent, well-known, lawful, and publicly stated policy of the FBI has been to provide Miranda warnings prior to any custodial interrogation conducted inside the United States.

In fact, the Bush administration adopted new policies for the FBI that said ''Within the United States, Miranda warnings are required to be given prior to custodial interviews.'' That was a requirement from the Bush administration. Senator MCCONNELL and others have tried to politicize this issue when the facts tell us otherwise.

Let's take one example from the Bush administration. Richard Reid, the shoe bomber, tried to detonate an explosive in his shoe on a flight from Paris to Miami in December 2001.

This was very similar to the attempted attack by Abdulmutallab, another foreign terrorist who also tried to detonate a bomb on a plane. So how does the Bush administration's handling of the shoe bomber, Mr. Reid, compare with the Obama administration's handling of Abdulmutallab? The Bush administration detained and charged Reid as a criminal. They gave Reid a Miranda warning within 5 minutes of being removed from the airplane and they reminded him of his Miranda rights four times within the first 48 hours he was detained.

Has America heard that side of the story, as we have heard all these criticisms about Miranda warnings for Abdulmutallab?

The Republicans have been very critical of the Obama administration for giving a Miranda warning to this Detroit, attempted, would-be bomber 9 hours after he was first detained, after a 50-minute interrogation. But they did not criticize their own Republican President when his administration gave a Miranda warning to the shoe bomber 5 minutes after he was detained, and before he was interrogated at all.

How do they square this? How can they be so critical of President Obama when a similar parallel case was treated so differently under the Republican President?

In mid-January, Abdulmutallab began talking again to FBI interrogators and providing valuable intelligence—after the Miranda warnings. FBI Director Robert Mueller described it this way:

> . . . over a period of time, we have been successful in obtaining intelligence, not just on day one, but on day two, day three, day four, and day five, down the road.

According to another law enforcement official:

> The information has been active, useful, and we have been following up. The intelligence is not stale.

How did this happen? The Obama administration convinced Abdulmutallab's family to come to the United States. Then he started talking. And his family persuaded him to cooperate.

This is a very different approach than we saw in the previous administration, when detainees who refused to talk were subjected to torture techniques such as waterboarding.

Real life is not like the TV show ''24.'' On TV, when Jack Bauer tortures someone, the suspect immediately admits everything he knows. Here is what we learned during the Bush administration. In real life, when people are tortured, they will say anything to make the pain stop. So they often provide false information, not valuable intelligence.

Richard Clarke was the senior counterterrorism adviser to President Clinton and President George W. Bush. Here is what he said recently about the Obama administration's approach:

> The FBI is good at getting people to talk . . . they have been much more successful than the previous attempts of torturing people and trying to convince them to give information that way.

Would Abdulmutallab's family have traveled to the United States and persuaded him to cooperate if they thought he was being tortured here? I do not think so. A senior Obama administration official said:

> One of the principal reasons why his family came back is that they had complete trust in the U.S. system of justice and believed that [their son] would be treated fairly and appropriately.

You do not hear that much. There is a belief that if you do not waterboard a person or torture them, you are not going to get information. Exactly the opposite happened here. This man was treated respectfully through our system of justice. He was not given special favors. He was treated like the criminal who I believe he is, and yet he was treated in such a manner that his family was willing to come to the United States and beg him to cooperate with our government, which he did at the end of the day.

So how do my Republican colleagues respond to this development? Did they commend the Obama administration for successfully bringing his family over and getting more information? No. They now claim the intelligence from him was worthless. They have no basis for saying that, but they do anyway.

During the previous administration, Republicans argued that detainees held at Guantanamo were still providing valuable intelligence for years after they were arrested. Now they are saying that days and weeks after Abdulmutallab was arrested his intelligence was worthless. They cannot have it both ways.

My colleagues on the other side of the aisle argue that Abdulmutallab should be held in military detention as an enemy combatant. But terrorists arrested in the United States have always been held under our criminal laws. Here is what Attorney General Eric Holder said in his letter to Senator MCCONNELL:

> Since the September 11, 2001 attacks, the practice of the U.S. government, followed by prior and current Administrations without a single exception, has been to arrest and detain under federal criminal law all terrorist suspects who are apprehended inside the United States.

Without exception. That was the standard under the Bush administration.

The Bush administration did move two terror suspects out of the criminal justice system after they were arrested. One of them was Jose Padilla. He was designated as an enemy combatant and transferred to military detention. But then what happened? In a court filing, the Bush administration admitted that Padilla had not talked to his interrogators for 7 months. They said:

> There are numerous examples of situations where interrogators have been unable to obtain valuable intelligence from a subject until months—or even years, after the interrogation process began.

Two important points about the Padilla case: My Republican colleagues

criticize the Obama administration for holding Abdulmutallab under our criminal laws. But Padilla was held in military detention and the Bush administration acknowledged that he did not talk to his interrogators for at least 7 months. Second, Republicans argue that intelligence from Abdulmutallab, after several weeks in detention, was stale and worthless, but the Bush administration argued that information gathered from Padilla after months—or even years—was still valuable.

There is no consistency in the position they have taken on the other side of the aisle.

In the end, the Bush administration changed course on Padilla. They transferred him back to the criminal justice system for prosecution. He was convicted. He is now serving a long sentence in a Federal supermax prison—convicted in our criminal courts.

What about the shoe bomber? Richard Reid was also prosecuted and convicted in the criminal justice system. He is now serving a life sentence without parole in a Federal supermax prison, where he will never again threaten an American life.

My Republican colleagues did not complain when the Bush administration prosecuted Reid and Padilla in criminal courts. But now they argue terrorists such as Abdulmutallab and Khalid Shaikh Mohammed should be tried in military commissions only because Federal courts are not well suited to prosecute terrorists.

Well, let's look at the numbers. Since 9/11, 195 terrorists have successfully been prosecuted and convicted in our Federal court system. Besides Reid and Padilla, here are just a few of the terrorists who have been convicted in our Federal court system and are now serving long prison sentences: Ramzi Yousef, the mastermind of the 1993 World Trade Center bombing; Omar Abdel Rahman, the so-called Blind Sheikh; and the 20th 9/11 hijacker, Zacarias Moussaoui, who was tried across the river in Virginia and now sits in a prison cell in Florence, CO.

Compare this with the track record of military commissions. Some would have us believe that military commissions have been so much more effective in going after terrorists. So let's look at the record. Mr. President, 195 terrorists have been successfully prosecuted and convicted in our criminal courts. How about military commissions? Since 9/11, only three individuals have been convicted by military commissions—that is 195 to 3—and two of those individuals spent less than a year in prison and are now living freely in their home countries of Australia and Yemen.

GEN Colin Powell, the former head of the Joint Chiefs of Staff and Secretary of State under President Bush, supports prosecuting terrorists in Federal courts. Here is what he said about military commissions last week:

> The suggestion that somehow a military commission is the way to go isn't borne out by the history of the military commissions.

What would GEN Colin Powell know about the history of military commissions? A heck of a lot, having given his life to the U.S. military in dedication to his country. His opinion means a lot to me.

Military commissions are unproven venues, which ultimately may serve us well in some circumstances, but to say they are all good and courts are all bad is to ignore the obvious and ignore the evidence.

Just 2 days ago, there was more compelling evidence about the effectiveness of Federal courts. Attorney General Holder announced that Najibullah Zazi has pleaded guilty to plotting to bomb the New York subway system. Zazi, who planned the bombing with al-Qaida while he was in Pakistan, could be sentenced to life in prison without parole—convicted in the Federal criminal courts.

Here is what Attorney General Holder said about the subway bombing plot:

> This is one of the most serious terrorist threats to our nation since September 11th, 2001 . . . This attempted attack on our homeland was real, it was in motion, and it would have been deadly. . . . In this case as in so many others, the criminal justice system has proved to be an invaluable weapon for disrupting plots and incapacitating terrorists.

I hope all my colleagues—Democrats and Republicans—will join me in commending the Obama administration for their success in disrupting this dangerous plot and bringing Zazi to justice. I sincerely hope this case will cause some of the critics of trying terrorists in Federal courts pause to at least reflect on the obvious. This was a successful prosecution—another one, 195 of them since 9/11.

There is a great irony here. For 8 long years, during the Bush-Cheney administration, Republicans used to argue that we should not criticize the administration's national security policies. Time and again, they told us it was inappropriate—maybe even un-American, some of them said—for Congress to ask basic questions about the Bush administration's policies on issues like Iraq, Guantanamo, torture, warrantless wiretapping. Time and again, we were reminded there is only one Commander-in-Chief. But now Republicans feel it is fair game to second-guess every decision President Obama makes in the area of combating terrorism.

I think we have a right, an obligation, as Senators, to ask questions of all Presidents regardless of party. But I think we also have an obligation for fairness and balance, as one of the notorious networks says. In this case, I think if you look at the evidence in a fair and balanced fashion, you can see we are in a situation where the approach of using Federal criminal courts has worked. It has worked because we know we have the very best in the FBI and the Department of Justice, and they have a track record of success. We have an obligation to get the facts right when we either defend or criticize the President.

I am also concerned about the tone of some of the criticism we have heard. We can surely disagree with this administration, but when I hear the President's critics suggest that he is soft on terrorism and he does not care about defending our country, that goes over the line, as far as I am concerned.

Recently, Senator MCCONNELL gave a speech to the Heritage Foundation, a conservative think tank on Capitol Hill, and he said the Obama administration ''has a pre-9/11 mindset'' and ''has a blind spot when it comes to prosecuting this war.'' I think those statements go too far.

GEN Colin Powell has a different opinion, different than Senator MCCONNELL. Here is what he said last weekend:

> To suggest that somehow we have become much less safe because of the actions of the administration, I don't think that's borne out by the facts.

What is the motivation for this criticism of the President? Well, as Senator MCCONNELL said to the Heritage Foundation:

> You can campaign on these issues anywhere in America.

I guess he is right. I guess there is always room for fear, and peddling fear is something that is going to appeal to a lot of people. It is right that we be mindful of the threat of terrorism and we do everything in our power to stop it from ever occurring again. But living and quivering in fear, is that what America should be all about?

Richard Clarke, the senior counterterrorism adviser to Presidents Clinton and Bush, said:

> Recent months have seen the party out of power picking fights over the conduct of our efforts against Al Qaeda, often with total disregard to the facts and frequently blowing issues totally out of proportion, while ignoring the more important challenges we face in defeating terrorists.

Mr. President, 9 years after 9/11, al-Qaida still is a serious threat to America. We know that terrorists are plotting to attack us even as we speak. President Obama knows it as well. He understands as Commander in Chief that he has a special commitment to the American people to keep us safe. Congress is a political body and this is an election year, but this issue is too important to become a political football. Democrats and Republicans should be united in supporting all of the efforts of all of the good men and women, including the President, in trying to fight terrorism and keep America safe.

Mr. President, 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.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 1586

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 36, H.R. 1586, and that the Reid substitute amendment, which is at the desk, be considered read; that the Republican leader, or his designee, be recognized to offer a substitute amendment, and that there be 60 minutes for debate with respect to that amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of time, and if a budget point of order is made against the amendment, a motion to waive the relevant point of order be considered made, and the Senate then vote on a motion to waive the point of order; that if the waiver is successful, the amendment be agreed to and the Reid substitute, as amended, be agreed to; that if the waiver fails, the amendment be withdrawn; further, that there be 30 minutes for debate with respect to the Reid substitute amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of time, and if a budget point of order is made against the amendment, a motion to waive the relevant point of order be considered made, and the Senate then vote on the motion to waive the point of order; that if the waiver is successful, the Senate proceed to vote on adoption of the Reid substitute amendment; further, that no further amendments or debate be in order; that upon disposition of the Reid substitute amendment, the bill, as amended, be read the third time; and following the reading by the clerk of the budgetary effects of pay-go legislation with respect to H.R. 1586, the Senate proceed to vote on passage of the bill, as amended; that upon passage the title amendment, which is at the desk, be considered and agreed to.

The PRESIDING OFFICER. Is there objection?

Mr. BUNNING. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, as usual, prior to coming to call off the quorum, I had a visit with my friend from Kentucky, who is someone for whom I have the greatest respect. I am going to miss him so much, as I have said publicly and privately. In the days of my youth, I, of course, wanted to be the baseball player that he turned out to be. But that is another story. I didn't want to pitch. I wanted to be something else—a catcher or a shortstop.

Mr. President, I regret that my friend has objected to this modest request. Earlier today, I was advised by the Republican leadership that they needed to have an amendment to be offered on this bill. As noted above, we agreed to that request. The items that we are proposing to extend in my substitute amendment include unemployment insurance, COBRA, flood insurance, highway funding, small business loans, and small business provisions of the American Recovery Act, the Satellite Home View Act, SGR—the so-called doctor fix—and poverty guidelines. All of these provisions will expire on Sunday, February 28. That is this coming Sunday.

Agencies have been already sending out notices to unemployed workers—agencies such as a number of transportation departments around the country have sent out notices that their work had come to a stop, so they would not be getting benefits.

It is critical that these programs continue so that Americans who are already struggling can continue to get this modest relief. Therefore, I regret the objection of my friend from Kentucky. I hope we can work through this objection and continue these important programs.

Mr. President, we have been told by the Congressional Budget Office that the No. 1 stimulative to our struggling economy is to give people who are out of work, and have been out of work for a long time, unemployment benefits. That money goes right into the economy—whether it is in Anchorage, Las Vegas, or Louisville.

COBRA—there are people who are losing their jobs and they need the ability to buy insurance. Statutorily now they can do that, but this is going to expire. Highway funding—I have already talked about that. It is just a real shame, and I am sorry that we can't get this done by February 28. But we can't. This month would give us the time we need to complete our work.

As far as unemployment benefits, notices have already gone out to thousands of Americans that their benefits are going to be terminated—these unemployed workers. They are already crushed with all the problems they have, and now they are not going to have unemployment benefits. That is simply not right.

I say to my friend again, I regret that we weren't able to work this out today. I hope there is something we can do to work through this objection. We need to continue these important programs.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. BUNNING. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1586; that the amendment at the desk, which is the text of the Reid substitute, with an offset, be agreed to; the bill, as amended, be read the third time and passed; and the motion to reconsider be laid on the table.

Mr. REID. Mr. President, reserving the right to object, with the provisions that we are seeking to be extended, there are some of them that cost money.

They all cost a little bit, but there are three items here that cost more than any of the others; that is, unemployment compensation, COBRA, and the SGR. If there were ever an emergency—ever—in this body, certainly it would be unemployment compensation and COBRA moneys.

I came to the floor earlier this year—it could have been late last year; time flies—to try to get a permanent fix, as we call it, for the SGR for 10 years. That did not get enough votes. That is unfortunate. And this is really unfortunate. This SGR, the Medicare payments that will be allowed to doctors, is for more than doctors; it is for doctors who will take Medicare patients. Many doctors in America today will not take Medicare patients. If we do not get this extended, a lot more will not take Medicare patients.

Our Medicaid programs throughout America are in deep trouble. I met Monday with 12 Governors. Everyone said they were in desperate shape for a lot of reasons, but one of the reasons is what has happened to Medicaid. Not only is it important to the doctors—and that is important—it is more important to the patients, and many programs to reimburse medical professionals—doctors—are based on what we have for Medicare reimbursement. If we do not get Medicare reimbursement, it is a cyclical thing that winds up tearing down the whole system.

I say to my friend that I hope someone can come up with an idea during the night that would allow us to get this done. We are going to take up this bill, all these items permanently next week or at least most of it is for a year or so. That will give us time to complete all this business. Even though we passed the so-called jobs bill which extended the highway bill for a year, the House cannot get it done that quickly. They can move more quickly than we can, but they cannot move that quickly.

Again, I hope we can work something out in the next 12 hours or so. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. REID. Mr. President, I was going to propound a unanimous consent request.

Mr. BUNNING. Go ahead.

MEDICARE PHYSICIAN PAYMENT REFORM ACT OF 2009

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 252, H.R. 3961.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3961) to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, there is a substitute amendment at the desk, and I ask unanimous consent that the amendment be considered and agreed to and that the bill, as amended, be read a third time.

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

The amendment (No. 3331) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended by striking ''February 28, 2010'' and inserting ''February 28, 2011''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3742; 50 U.S.C. 1801 note) is amended by striking ''February 28, 2010'' and inserting ''February 28, 2011''.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

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

The bill, as amended, was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

The bill (H.R. 3961), as amended, was passed.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I ask unanimous consent that the title amendment, which is at the desk, be considered and agreed to and that the motion to reconsider be laid upon the table.

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

The amendment (No. 3332) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''An Act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011.''.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I would like to go back past the original bill we just passed for the extension for a year and explain what my amendment did to the original text the leader was propounding. I paid for it, and I paid for it out of stimulus money.

We passed in this body just last week a pay-go that is extended to all the bills that come through this body. We passed a bill earlier this week on which we did not do pay-go. We did not pay for it—at least $10 billion of it. The cost of these extensions is another $10 billion. That means that $20 billion goes directly to the debt of this country.

We just extended the debt limit to over $14 trillion. The reason I offered the offset that the leader objected to was so that my 40 grandkids don't have to pay the bill. We cannot keep shifting our spending to our kids and our grandkids.

Believe me, I want to extend those provisions just as badly as the leader does, but we need to pay for them. That is the reason I offered my substitute to his original text.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, let me say this: The bill we passed today is fully paid for. There is no deficit spending whatsoever. In fact, everything was paid for. Every part of that was paid for. In passing that bill, there is not a cent of red ink.

It is my understanding that with this short extension we have tried to get done today, my friend from Kentucky believes it should be paid for by taking money out of the stimulus funds——

Mr. BUNNING. Unspent stimulus funds.

Mr. REID. Yes—and pay for it that way. It is my understanding that we are willing to have a vote on that. I say to my friend, I am pretty sure that is what your leader and I spoke about. I would be happy to have a vote on that.

Mr. BUNNING. Mr. President, I ask for time to speak.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. I have been here 24 years, I say to the Senator from Nevada.

Mr. REID. We came together.

Mr. BUNNING. And I have been fooled by some things and some things have gone past me and I woke up after it had already passed me. This is not one of those things that was going to do that. Of course, we can have a vote on it, and, of course, it can be defeated, and then, of course, we can pass the bill without the money. I am not willing to risk that $10 billion being added to the deficit. I was not ready to risk voting on a bill I knew would not get the amount of votes necessary to pay for it. If the majority leader would have included it in his UC, I would have had no problems. But he did not include it in his UC. So that was the reason I asked to pay for it.

Mr. REID. Mr. President, I don't want to delay this any longer than necessary. I don't know how we could be more fair. I have not talked with my Democratic Senators, but I think there may be some Senators on this side of the aisle who agree with Senator BUNNING. That is why we are here.

Right now, we are in a very difficult predicament. I think it would be too bad if people whose unemployment insurance is being terminated—all we are asking for is a few weeks, and then after the extension it will give us time to have this body and the other body make a decision by voting on it. We are asking for a short extension. My personal belief is that the extension of unemployment insurance is truly an emergency, as I indicated earlier, as I feel about COBRA.

I understand where my friend is coming from. I have never been a part of trying to fool him in any way intentionally. As I understand it, we are willing to vote on this legislation. If we are not able to work that out, I don't know what can be more democratic than that. We are all elected to make our choices here. I would be happy, as I told the distinguished Senator from Kentucky, if he came up with some way we could proceed on this issue, to give every consideration to any proposal he would make.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

EXTENSION OF UNEMPLOYMENT BENEFITS

Mr. DURBIN. Mr. President, the last item of business considered on the Senate floor was an effort to extend several provisions of law that will expire either late Saturday night or Sunday. One of these provisions is the extension of unemployment benefits. It is well known across America that we have many people out of work. A lot of them have reached the point where their unemployment benefits are about to expire. I have met with many of those people in my State—in Springfield, in Chicago—and heard their stories, and they are sadly very similar. Many of them have exhausted whatever savings they had to try to keep their homes and their families together. They are literally living on unemployment insurance benefits.

Come Saturday or Sunday, thousands of people in my State and literally more than 1 million Americans will see their unemployment benefits stop; 65,000 people in Illinois will lose their unemployment insurance benefits if we do not extend this; 1.2 million Americans nationwide will lose their unemployment benefits.

It is all right for us to debate. It is certainly our job to offer amendments if we believe something should be

amended. But at the end of the day I think we have to be sensitive and conscious of the fact that a lot of people will start to suffer in ways that most of us cannot imagine. When they lose their unemployment benefits and their savings are exhausted, they are about to lose their homes. I have seen that happen, and it is going to continue to happen.

Let's do the right thing. Let's find a way through this difficulty. Let's try to find a reasonable way to resolve it. Let's not leave here and go to the comfort and happiness of our families with these people disadvantaged.

IRANIAN INFLUENCE IN IRAQ

Mr. KYL. Mr. President, last week, Clifford May, the president of the Foundation for the Defense of Democracies, wrote in the National Review that the U.S. should renew its focus on the Iranian regime's influence in Iraq. He warned that the success of the surge in Iraq, which both the President and Vice President opposed when they served in this body, could be transformed into a ''bipartisan failure'' if we don't increase pressure on the Iranian regime.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I just referred.

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

[From the National Review]

WHO'S LOSING IRAQ?

AND COULD IRAN BE WINNING?

(By Clifford D. May)

''I am very optimistic about—about Iraq. I mean, this could be one of the great achievements of this administration.''

Vice President Joseph Biden's comments to CNN's Larry King sparked a brouhaha for an obvious reason: When they were senators, Biden and Barack Obama opposed the ''surge'' that averted America's defeat in Iraq. It takes chutzpah for them to now claim credit for the fruits of that strategy.

But a less obvious and more significant point is being missed: Iraq may, in the end, turn out to be nobody's achievement. It may turn out to be a military success transformed by politicians and diplomats into a bipartisan failure. Recent developments in Iraq are ominous. The Obama administration is not addressing them effectively. And conservative critics of the Obama administration are strangely silent.

Robert Dreyfus is a journalist of the left with whom I seldom agree; he writes for The Nation, a publication of the far left that usually makes my eyes roll. But in his Nation blog, Dreyfus correctly notes that as the campaign gets underway for Iraq's March 7 elections, close to 500 candidates have been banned for alleged ties to the Baath Party by the Justice and Accountability Council, ''an unelected panel headed by an Iran-linked terrorist, Ali al-Lami.''

Among those barred are ''the No. 2 and No. 3 candidates in the main opposition bloc, the Iraqi Nationalist Movement, which is led by former Prime Minister Iyad Allawi [a secular Shia]. Already, two members of Allawi's party have been assassinated while campaigning. . . . Allawi, who many observers say had a credible chance of winning enough votes to lead a governing coalition after the election, has suspended his campaign. . . . Many Sunni leaders are talking about a boycott.''

The most serious concern here is not that Iraqi democracy is fledgling and flawed—we knew that. What's troubling is the fact that Iran's militant jihadi rulers are apparently manipulating the process—with impunity.

Most Iraqis do not want their country to be controlled by Iran. Most do not want it to become an Iranian satrapy like Syria, Iraq's neighbor to the west. Most Iraqis do not want to live as Iranians have been living—under the thumb of oppressive theocrats and thuggish Revolutionary Guards.

But Iraqis know that American troops—the ''strongest tribe''—are leaving. The bullies in Tehran, by contrast, may be staying right where they are. Iran's rulers can give you money and weapons. Or they and their treacherous agents in Iraq can have you eliminated.

The fact that Ali al-Lami is playing a central role in determining who can and who cannot run for election is—or should be—alarming. In 2008, he was detained by American forces in connection with an Iranian-backed ''Special Groups'' militia believed to have bombed a municipal building, killing two State Department employees along with six Iraqis. A ''senior U.S. military intelligence official'' told the Associated Press there were ''multiple and corroborating reports'' pointing to al-Lami's involvement.

Abdul Rahman al-Rashed, the general manager of al-Arabiya television, writing in the international Arabic daily Asharq Alawsat, recently called al-Lami ''the man to fear in Iraq. . . . He shows his claws at anyone who dares oppose him and he accuses his opponents of Baathism,'' including even Gen. David Petraeus ''who has fought the Baathists the most and if it weren't for him, al-Lami would not be able to reach his home in one piece. Al-Lami accused Petraeus of Baathism (nobody has ever spoken such nonsense) and said that if General Petraeus was Iraqi he would have been charged under the Debaathification law.''

In an interview with the Times (U.K.), Petraeus pointedly noted that al-Lami's panel has been linked with Iran's Revolutionary Guard. And on Tuesday, Gen. Ray Odierno, the senior U.S. commander in Iraq, identified al-Lami as one of two Iraqi politicians ''clearly . . . influenced by Iran.''

The ''surge'' implemented by Petraeus, Odierno, and their troops was largely responsible for the defeat of al-Qaeda in Iraq—the battlefield Osama bin Laden considered more consequential than any other. But Iran's proxy militias fought U.S. troops, too. And many Americans were killed by explosive devices manufactured in Iran and sent to Iraq for that purpose.

Yet Iran's contribution to the bloodshed in Iraq was consistently downplayed. To highlight it would have led to the question: ''So what are you going to do about it?'' And the Bush administration did not want to do anything about it—just as the Clinton administration did not want to do anything about Iran's role in the slaughter of American servicemen at Khobar Towers in 1996, just as the Reagan administration did not want to do anything about Iran's dispatching of Hezbollah suicide-bombers to kill Americans in Beirut in 1983, and just as the Carter administration did not want to do anything about the seizure of the American Embassy in Tehran in 1979.

Ayatollah Ruhollah Khomeini, the father of Iran's 1979 Islamic Revolution, concluded: ''America cannot do a damn thing!'' The phrase has been repeated by Iranian rulers ever since.

President Obama ought to break with this pattern of fecklessness. He should show Iran that there are consequences for facilitating the deaths of Americans, for sponsoring terrorism, for building nuclear weapons, for ruthlessly oppressing Iranians at home, and for undermining the election process in Iraq. At the very least, Obama should slow down the pace of American troop withdrawals in Iraq and impose serious sanctions—the kind envisioned by the legislation recently passed by both the House and the Senate.

But Biden said nothing about sanctions to Larry King. Instead he told him (and any Iranians who might be listening): ''You're going to see 90,000 American troops come marching home by the end of the summer.'' The vice president added: ''You're going to see a stable government in Iraq that is actually moving toward a representative government. I spent—I've been there 17 times now. I go about every two months—three months. I know every one of the major players in all the segments of that society. It's impressed me. I've been impressed how they have been deciding to use the political process rather than guns to settle their differences.''

True: Biden has been a frequent flier to Iraq, where he has argued against the banning of candidates who displease Tehran. Also true: He might as well have been talking to a wall.

Iraq remains what it has been: a pivotal nation in the heart of the Middle East. Biden may think he and his administration have achieved something there. Obama may see Iraq as a distraction from the war against ''the real enemy'' in Afghanistan. Conservatives may view Iraq as a success Obama inherited from the Bush administration—and therefore no longer their problem.

All these views are wrong. It would be a cruel irony—not to mention a terrible defeat—if the sacrifices Americans have made were, in the end, to produce an Iraq dominated by Iranian Supreme Leader Ali Khamenei and President Mahmoud Ahmadinijad, enemies of Iraq, freedom, and democracy—enemies sworn to bringing about a ''world without America.''

Why don't Biden and Obama recognize that? And why are their critics not more vocal about the fact that they do not?

VOTE EXPLANATION

Mr. MCCAIN. Mr. President, today I missed rollcall vote No. 24, the motion to waive the Budget Act with respect to the motion to concur in the House amendment to the Senate amendment to H.R. 2847, with the Reid amendment No. 3310. I was regrettably detained due to the fact that I was serving as the ranking member at a Senate Armed Services Committee hearing. If I had been present, I would have voted to sustain the point of order.

ADDITIONAL STATEMENTS

RECOGNIZING BULL MOOSE MUSIC

• Ms. SNOWE. Mr. President, each day we read too many stories of small businesses unable to weather the current economic storm. Countless small firms both in Maine and across the Nation have been unable to compete with large chain stores and have been literally priced out of the market. Thankfully, today I wish to tell an inspirational success story and recognize a local retailer in my home State of Maine that

has met the challenges of this difficult economic climate head on and continues to grow and thrive.

Bull Moose is a small retail chain originally founded in Brunswick, ME. The company initially focused on providing its customers solely with music but has now branched out into many forms of entertainment and media, including movies, games, and books. Its founder and president, Brett Wickard, characterizes Bull Moose as selling ''inexpensive fun stuff.'' Twenty years ago, when Mr. Wickard was a college student at Brunswick's Bowdoin College, the local record store closed down. Now many of us would have just found another place to buy cassettes or records, but this young Bowdoin entrepreneur had a different idea. With just $7,000 of his own money and a small loan, Brett Wickard launched Bull Moose Music in the summer of 1989, and a truly homegrown business success story began. Mr. Wickard arranged his course schedule around his new store hours and had friends work in the store while he was in class.

The Bull Moose business plan began by looking up record distributors in the Yellow Pages and ordering one album by every artist and band that had released at least two albums. The thought process was if you made a second album, you must be a good band. In the first summer, Bull Moose Music had sales of barely $100 a day, and Brett was forced to use his credit card as a tool to survive. But with dedication and perseverance, Bull Moose has grown from these humble beginnings in Brunswick to include 10 stores in both Maine and New Hampshire with over 100 employees. To keep up with the added demand, the company has now produced its own software to analyze which albums and artists it should carry based on the purchasing history of each of the store's customers. Mr. Wickard actually designed the Bull Moose purchasing software as his senior project while still a Bowdoin student—quite an upgrade from scouring the Yellow Pages!

Bull Moose recently celebrated its 20th anniversary and is on track to have its best year ever despite the current recession. Nevertheless, it continues to face the challenges confronting many small businesses. Beyond the severity of the economic downturn, large chain stores make it increasingly difficult to compete, and digital downloads of music have reduced the number of customers buying music in stores. As a result of these overwhelming roadblocks, many small businesses have been forced to cut staff and eliminate bonuses. In contrast, Bull Moose has tripled Christmas bonuses and continues to hire more staff, including a location in Bangor, ME, that has tripled in size. Mr. Wickard credits Bull Moose's commitment to customer service and convenience to their unprecedented success and growth.

It is indeed refreshing to see a superb small business overcome the many obstacles it faces in today's market. Stories such as this should renew our focus to help small entrepreneurs succeed because as small businesses like Bull Moose continue to grow, they provide a substantial positive impact on the health of the local community and our overall economy. My home State of Maine has benefited greatly from Bull Moose's success, and I wish Mr. Wickard and everyone at Bull Moose continued success for years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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

At 9:37 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3695. An act to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes.

At 12:51 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2314. An act 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.

ENROLLED BILL SIGNED

At 2:35 p.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:

4532. An act to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3695. An act to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4796. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Laminarin; Exemption from the Requirement of a Tolerance'' (FRL No. 8812–1) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4797. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Trichoderma gamsii strain ICC 080; Exemption from the Requirement of a Tolerance'' (FRL No. 8799–4) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4798. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Nicosulfuron; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 8812–5) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4799. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National Organic Program; Access to Pasture (Livestock)'' ((Docket No. AMS–TM–06–0198)(RIN0581–AC57)) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4800. A communication from the Administrator of the Research and Promotion Branch, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Processed Raspberry Promotion, Research, and Information Order; Referendum Procedures'' ((Docket Nos. AMS–FV–07–0077; FV–07–705–FR)(RIN0581–AC79)) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4801. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Grapes Grown in a Designated Area of

Southeastern California and Imported Table Grapes; Change in Regulatory Periods'' (Docket Nos. AMS–FV–06–0184; FV03–925–1 FIR) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4802. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Child Welfare Outcomes 2003–2006: Report to Congress''; to the Committee on Finance.

EC–4803. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling: 2010 Prevailing State Assumed Interest Rates'' (Rev. Rul. 2010–7) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC–4804. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—March 2010'' (Rev. Rul. 2010–8) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC–4805. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Correction to Composite Loss Discount Factor for Nonproportional Assumed Property Reinsurance in Revenue Procedure 2009–55'' (Ann. 2010–11) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC–4806. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice: Qualified Zone Academy Bond Allocations for 2010'' (Notice 2010–22) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC–4807. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Whistleblower Protections for Contractor Employees'' (DFARS Case 2008–D012) received in the Office of the President of the Senate on February 22, 2010; to the Committee on Armed Services.

EC–4808. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Emerson N. Gardner, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–4809. A communication from the Deputy Secretary of Defense, Department of Defense, transmitting, pursuant to law, a report relative to Taiwan's Air Defense Force; to the Committee on Armed Services.

EC–4810. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Fiscal Year 2009 Competitive Sourcing Activity Report; to the Committee on Energy and Natural Resources.

EC–4811. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Annual Update of Filing Fees'' (RIN1902–AD90) received in the Office of the President of the Senate on February 22, 2010; to the Committee on Energy and Natural Resources.

EC–4812. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs; and Other Related Issues'' (RIN1557–AD26) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4813. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, a report entitled ''Final Clarification for Chemical Identification Describing Activated Phosphors for TSCA Inventory Purposes''; to the Committee on Environment and Public Works.

EC–4814. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compound Emission Control Measures for Lake and Porter Counties in Indiana'' (FRL No. 9107–2) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC–4815. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia Revisions to the Definition of Volatile Organic Compound and Other Terms'' (FRL No. 9116–1) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC–4816. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Opacity Source Surveillance Methods'' (FRL No. 9115–9) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC–4817. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines'' (FRL No. 9115–7) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC–4818. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report entitled ''National Airspace System Capital Investment Plan FY 2011 through 2015''; to the Committee on Commerce, Science, and Transportation.

EC–4819. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Guidelines and Requirements for Mandatory Recall Notices'' (16 CFR Part 1115) received during adjournment of the Senate in the Office of the President of the Senate on February 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4820. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–306, ''Department of Small and Local Business Development Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–4821. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–307, ''Pre-k Acceleration and Clarification Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4822. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–308, ''Old Morgan School Place, N.W. Renaming Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4823. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, U.S. Customs and Border Protection, received in the Office of the President of the Senate on February 2, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–4824. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Federal Emergency Management Agency, received in the Office of the President of the Senate on February 2, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–4825. A communication from the Secretary of the Department of the Interior, transmitting, a report relative to the management of individual Indian trust accounts; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 404. A resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

S. Res. 414. A resolution expressing the Sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*Donald E. Booth, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Ethiopia.

Nominee: Donald Ernest Booth.

Post: Ambassador to Ethiopia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Anita S. Booth: None.

3. Children and Spouses: Alison L. Booth, none; Peter R. Booth, none; David I. Booth, none.

4. Parents: John E. Booth (deceased), none; Eileen R. Booth (deceased), none.

5. Grandparents: Ernest Ford (deceased), none; Lena Ford (deceased), none, Edward Booth (deceased), none; Margaret Booth (deceased), none.

6. Brothers and Spouses: John L. Booth, none; Tibby Booth, none.

7. Sisters and Spouses: Camilla Noyes, none; George Noyes, none.

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*Scott H. DeLisi, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.

Nominee: Scott H. DeLisi.

Post: Kathmandu, Nepal.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self: $112.58, Oct. '08, Obama Presidential Campaign 2008.

Spouse: Leija C. DeLisi: $80.00, Oct. '08, Obama Presidential Campaign 2008.

Children and spouses: Daughter/Son-in-law. Tjiama & Joe Saitta, $75.00, Oct. '08, Obama Presidential Campaign 2008; Son: Anthony DeLisi, $120.00; Son: Joe DeLisi, None.

Parents: Glorie A. DeLisi, $75.00, Oct. '08, Obama Presidential Campaign 2008; Joseph DeLisi (deceased).

Grandparents: Agostino and Antonella DeLisi (deceased), none; Elmer and Katherine Minea (deceased).

Brothers and spouses: Andrew and Ida DeLisi, none; Daniel (deceased) and Jill DeLisi.

Sisters and Spouses: Sister: Deborah Hannigan, $2,200.00, Oct. '08, Obama Presidential Campaign 2008; Brother-in-law: James Hannigan, $500.00; Christine and Edmond Perz, none; Martha and David Bogie, none.

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*Beatrice Wilkinson Welters, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago.

Nominee: Beatrice Welters.

Post: Trinidad and Tobago.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Name, amount, date, and campaign:

1. Beatrice Welters: $1,900, Nov 2009, People for Carl Andrews; $2,300, 1/7/09, Hillary For President Debt Relief; $4,600, 11/12/08, Reelect Ed Towns—Primary/General 2010; $5,000, 9/17/08, Committee for Change; $5,000, 9/16/08, Committee for Change; $3,000, 8/25/08, Friends of Byron Dorgan; $5,000, 7/8/08, Democratic Congressional Campaign Committee; $28,500, 6/30/08, Democrat for White House Victory Fund; $1,000, 2/29/08, Judy Feder for Congress; $2,000, 12/25/07, Loesback for Congress; $2,000, 11/16/07, Ken Salazar for Senate; $2,300, 8/24/07, Barack Obama for America; $2,000, 7/18/07, Citizens for Arlen Specter; $2,300, 6/25/07, Barack Obama for America; $2,100, 10/26/06, Steele for Maryland; $2,100, 10/20/06, Harold Ford Jr. for Tennessee; $4,000, 8/30/06, People for Carl Andrews; $4,000, 8/29/06, Rangel for Congress; $2,000, 7/5/06, Committee to Re-Elect Ed Towns; $2,000, 3/22/06, Chris Owens for Congress; $5,000, 9/27/05, Hope Fund; $2,500, 2/14/05, ROYB Fund.

2. Anthony Welters: $1,900, Nov 2009, People for Carl Andrews; $2,300, 1/7/09, Hillary For President Debt Relief; $5,000, Jan–Dec/2008, United for Health PAC; $4,600, 11/13/08, Relect Ed Towns—Primary/General 2010; $5,000, 11/13/08, Effective Leadership PAC; $2,300, 10/31/08, Pat Murphy for Congress; $2,300, 10/23/08, Citizens for Bobby Rush; $2,300, 9/19/08, Sanford Bishop of Congress; $5,000, 9/16/08, Committee for Change; $4,600, 9/8/08, Friends of Byron Dorgan; $1,000, 7/9/08, Nelson for Senate; $28,500, 6/30/08, Democrat for White House Victory Fund; $2,300, 5/14/08, Committee to Re-Elect Ed Towns; $2,300, 3/8/08, Myers for Congress Committee; $2,300, 2/26/08, Rudy Giuliani Presidential Campaign; $5,000, Jan–Dec/2007, United for Health PAC; $2,300, 8/24/07, Barack Obama for America; $2,300, 8/16/07, Thompson for President; $2,000, 7/18/07, Citizens for Arlen Spector; $2,300, 6/25/07, Barack Obama for America; $1,000, 5/28/07, Committee to Re-Elect Ed Towns; $4,200, 4/23/07, Giffords For Congress; $4,600, 4/18/07, Thompson for President; $4,600, 4/12/07, Rudy Giuliani Presidential Campaign; $5,000, Jan-Dec/2006, United for Health PAC; $2,100, 10/26/06, Steele for Maryland; $4,200, 10/23/06, Harold Ford Jr. for Tennessee; $2,100, 10/20/06, Harold Ford Jr. for Tennessee; $3,000, 10/17/06, MIKER Fund; $175, 10/5/06, Kean for Senate; $4,000, 8/29/06, Rangel for Congress; $4,000, 8/29/06, People for Carl Andrews; $1,000, 7/7/06, Committee to Re-Elect Ed Towns; $2,000, 3/22/06, Chris Owens for Congress; $5,000, Jan–Dec/2005, United for Health PAC; $2,500, 12/22/05, Reynolds for Congress; $2,000, 12/21/05, Snowe for Senate; $5,000, 9/27/05, Hope Fund; $2,000, 3/12/05, Committee to Re-Elect Ed Towns; $2,000, 7/12/05, Reynolds for Congress; $1,000, 7/12/05, Sweeny for Congress; $4,000, 6/30/05, Citizens for Bobby Rush; $4,200, 4/18/05, Mark Kennedy for Senate; $2,500, 3/7/05, ROYB Fund.

3. Andrew Welters: $2,500, 4/29/09, Friends of Byron Dorgan; $5,000, 9/24/08, Committee for Change; $2,300, 8/28/08, Hillary Clinton for President; $2,300, 6/30/08, Barack Obama for America; $28,500, 6/18/08, Democrat for White House Victory Fund; $4,600, 10/17/07, Hillary Clinton for President; $2,300, 9/12/07, Barack Obama for America.

4. Bryant Welters: $2,500, 4/29/09, Friends of Byron Dorgan; $5,000, 9/24/08, Committee for Change; $2,300, 8/28/08, Hillary Clinton for President; $2,300, 6/30/08, Barack Obama for America; $28,500, 6/18/08, Democrat for White House Victory Fund; $4,600, 10/17/07, Hillary Clinton for President; $2,300, 9/12/07, Barack Obama for America; $2,100, 10/24/06, Harold Ford for Tennessee.

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*David Adelman, of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

Nominee: David I. Adelman.

Post:

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. David I. Adelman, $250, 2/29/08, Friends of John Barrow; $2,300, 3/18/07, Obama for America; $250, 7/14/08, John Lewis/Congress; $500, 9/4/08, Martin for Senate Inc.; $2,300, 10/13/08, Obama Victory Fund; $250, 12/6/05, Friends of John Barrow; $500, 2/9/06, Forward Together PAC (Sen. Mark Warner); $250, 7/20/06, Committee to Elect Hank Johnson; $250, 5/3/06, Evan Bayh Committee.

2. Spouse: Caroline A. Aronovitz: None.

3. Oscar Adelman, Minor: None; Leah Adelman, Minor: None; Avery Adelman, Minor: None.

4. Parents: Nelson Adelman (Father), None; Donna Adelman (Mother), None.

5. Grandparents: Sue Dahab, None.

6. Brother: Mark Adelman, None; Sister-in-Law: Becky Adelman, None.

7. Sisters and Spouses: NA.

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*Harry K. Thomas, Jr., of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines.

Nominee: Harry K. Thomas Jr.

Post: Manila.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: 150, 10/08, Obama for America.

2. Spouse: None.

3. Children and Spouses: Ericka Smith-Thomas (spouse); Casey Thomas (daughter).

4. Parents: Harry K. Thomas Sr. (deceased) Hildonia M. Thomas, None.

5. Grandparents: Charles McClary, Merie McClary, Frank Thomas, Mary Thomas (all deceased), None.

6. Sisters and Spouses: Nelda Canada, Daniel Canada: 200, 7/08, Obama for America; 50, 6/8, DNC.

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*Allan J. Katz, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Portuguese Republic.

Nominee: Allan J. Katz.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $2,300, 12/17/07, Obama for America; $1,274, 3/3/08, A Lot of People for Dave Obey; $500, 8/22/08, Linda Ketner for Congress; $500, 10/30/08, Joe Garcia for Congress; $2,000, 12/23/05, Bill Nelson for US Senate; $300, 6/11/04, Akerman Senterfitt PAC; $300, 6/24/04, Akerman Senterfitt PAC; $300, 7/15/04, Akerman Senterfitt PAC; $250, 3/20/08, Suzanne Kosms for Congress; $500, 12/25/07, David Loebsack for Congress; $53.83, 7/31/08, Obama for America; (53.83), 9/30/08, returned—Obama for America; $2,246, 7/31/08, Obama for America; ($2,246), 12/31/08, returned—Obama for America; $2,300, 7/31/08, Obama for America; $1,000, 9/5/02, Florida Leadership PAC; $350, 5/9/01, Grassley Committee Inc.; $250, 3/31/00, Patsy Kurth for congress; $1,000, 2/12/02, Friends of Max Cleland; $500, 7/11/03, Bob Graham for President; $250, 6/27/01, Citizens for Mark Shriver; $500, 12/23/03, Wasserman-Schultz for Congress; $250, 9/30/03, Dean for President; $873, 3/8/01, A Lot of People for Dave Obey; $1,000, 10/1/99, Bill Nelson for US Senate; $500, 4/26/06, Friends of Hillary; $2,000, 4/19/04, John Kerry for President; $1,000, 3/16/00, Carnahan for Senate

Committee; $1,000, 3/16/98, Friends of Bob Graham Committee; $250, 4/11/03, Harold Ford Jr for Tennessee; $300, 8/29/00, DNC Services Corporation; $250, 3/17/06, McCaskill for Missouri; $1,000, 11/1/99, Bill Bradley for President; $500, 10/21/98, Victory in New York; $500, 10/20/98, Schumer '98.

Spouse: Nacy E. Cohn: $500, 4/22/05 Ron Klein for Congress; $1,000, 6/30/08, Suzanne Kosmas for Congress; $2,300, 3/31/07, Obama for America; $2,300, 7/31/08, Obama for America; $250, 1/18/04, Campaign for Florida's Future; $1,000, 10/27/04, Campaign for Florida's Future; $1,200, 12/19/03, Howard Dean for America; $1,000, 3/28/02, Katy Sorenson for Congress ($826.00 was returned); $1,000, 12/29/99, Bill Bradley for President.

3. Children and Spouses: Ethan Katz, Son: Several small contributions, all of which were less than $100 for which he did not keep records: Bradley for President, 1999; McCain for President, 2000; Dean for America, 2003–04; Obama for America, 2007–2008. Hagit Katz, Daughter-in-law: no contributions. Matthew Katz, Son: no contributions.

4. Parents: Deceased: no contibutions.

5. Grandparents: Deceased: no contributions.

Brothers and Spouses: N/A: no contributions.

7. Sisters and Spouses: Joanne Katz: $250, 10/14/04, DNC Services Corporation; $382, 8/21/04, America Coming Together. In addition, several small contributions, all of which were less than $100 for which she did not keep records: Obama for America, 2007–08; Democratic National Committee, 2008; Carnahan for Senate, 2009. Michelle Bartlett: no contributions.

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*Ian C. Kelly, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Nominee: Ian C. Kelly.

The following is a list of all members of my immediate family and their spouses. I have each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date and donee:

1. Self: none.

2. Spouse: none.

3. Children and Spouses: Annalisa, William, John, and Joseph: none.

4. Parents: Stella Kelly and William Kelly: $25, 5/16/09, IL RNC; $50, 9/22/08, RNC; $15, 7/18/09, RNC; $50, 7/30/08, RNC; $11, 10/06/07, RNC; $25, 6/11/08, RNC; $25, 2/12/08, McCain for Pres; $25, 1/1/08, McCain; $25, 10/31/07, McCain; $25, 9/1/07, RNC; $20, 5/14/07, Rep. Maj. Fund; $25, 7/16/06, RNC; $25, 4/18/06, RNC.

5. Grandparents: (Deceased): n/a.

6. Brothers and Spouses: n/a.

7. Sisters and Spouses: Kathryn Rutherford and Abigail Holman: none.

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*Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank for a term of five years.

*Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

*Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency.

*Brooke D. Anderson, of California, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

*Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

*Rosemary Anne DiCarlo, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

*Rosemary Anne DiCarlo, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations.

*Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

*Judith Ann Stewart Stock, of Virginia, to be an Assistant Secretary of State (Educational and Cultural Affairs).

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD 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.

*Foreign Service nomination of Earl W. Gast.

*Foreign Service nominations beginning with Suzanne E. Heinen and ending with Bernadette Borris, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 17, 2009.

*Foreign Service nominations beginning with Sean J. Mc Intosh and ending with William Qian Yu, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 11, 2009.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY (for himself and Ms. SNOWE):

S. 3028. A bill to amend title XVIII of the Social Security Act to eliminate the 190-day lifetime limit on inpatient psychiatric hospital services under the Medicare program; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. LUGAR):

S. 3029. A bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 3030. A bill to amend the Public Works and Economic Development Act of 1965 to eliminate cost-sharing requirements in connection with economic adjustment grants made to assist communities that have suffered economic injury as a result of military base closures and realignments, defense contractor reductions in force, and Department of Energy defense-related funding reductions; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 3031. A bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises; to the Committee on the Judiciary.

By Mr. BARRASSO:

S. 3032. A bill to prohibit the enforcement of a climate change interpretive guidance issued by the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. BROWN of Ohio, Mr. HARKIN, and Mr. FRANKEN):

S. 3033. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. WARNER):

S. 3034. A bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3035. A bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BAYH (for himself, Ms. COLLINS, and Mr. LEMIEUX):

S. 3036. A bill to establish the Office of the National Alzheimer's Project; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MCCASKILL (for herself, Mr. FEINGOLD, and Mr. LEAHY):

S. 3037. A bill to increase oversight of private security contractors and establish the proper ratio of United States Government security personnel to private security contractors at United States missions where the armed forces are engaged in combat operations; to the Committee on Foreign Relations.

By Mr. DODD (for himself and Mr. UDALL of New Mexico):

S.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. CHAMBLISS, Mrs.

SHAHEEN, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BYRD, Mr. ISAKSON, and Mr. BENNETT):

S. Res. 421. A resolution supporting the goals and ideals of ''National Guard Youth Challenge Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 315

At the request of Mr. FEINGOLD, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 315, a bill to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs, and for other purposes.

S. 369

At the request of Mr. KOHL, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 369, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 408

At the request of Mr. INOUYE, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 408, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 422

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 493

At the request of Mr. CASEY, the names of the Senator from Florida (Mr. LEMIEUX) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 504

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 700

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 753

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 753, a bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes.

S. 886

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 886, a bill to establish a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in the financial recovery from natural catastrophes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 1321

At the request of Mr. UDALL of Colorado, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1321, a bill to amend the Internal Revenue Code of 1986 to provide a credit for property labeled under the Environmental Protection Agency Water Sense program.

S. 1504

At the request of Mr. SPECTER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1504, a bill to provide that Federal courts shall not dismiss complaints under rule 12(b)(6) or (e) of the Federal Rules of Civil Procedure, except under the standards set forth by the Supreme Court of the United States in Conley v. Gibson, 355 U.S. 41 (1957).

S. 1603

At the request of Mr. BROWN of Ohio, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1603, a bill to amend section 484B of the Higher Education Act of 1965 to provide for tuition reimbursement and loan forgiveness to students who withdraw from an institution of higher education to serve in the uniformed services, and for other purposes.

S. 1668

At the request of Mr. BENNET, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 1668, a bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post–9/11 Educational Assistance Program, and for other purposes.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2776

At the request of Mr. ALEXANDER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2776, a bill to amend the Energy Policy Act of 2005 to create the right business environment for doubling production of clean nuclear energy and other clean energy and to create mini-Manhattan projects for clean energy research and development.

S. 2796

At the request of Mr. ENZI, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2796, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 2986

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2986, a bill to authorize the Administrator of the Small Business Administration to waive interest for certain loans relating to damage caused by Hurricane Katrina, Hurricane Rita, Hurricane Gustav, or Hurricane Ike.

S. 2995

At the request of Mr. CARPER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 2995, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

S. RES. 414

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. Res. 414, a resolution expressing the Sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Ms. SNOWE):

S. 3028. A bill to amend title XVIII of the Social Security Act to eliminate the 190-day lifetime limit on inpatient psychiatric hospital services under the Medicare program; to the Committee on Finance.

Mr. KERRY. Mr. President, our country has recently taken great steps forward to support the principles of mental health parity. In 2008, Congress has enacted two important pieces of legislation to end discrimination against people suffering from mental illnesses.

Congress passed the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, MHPAEA, to prohibit the establishment of discriminatory benefit caps or cost-sharing requirements for mental health and substance use disorders. That same year Congress also passed the Medicare Improvements for Patients and Protections Act, MIPPA, which included legislation introduced by Senator SNOWE, and myself, the Medicare Mental Health Copayment Equity Act. This legislation prevented Medicare beneficiaries from being charged higher copayments for outpatient mental health services than for all other outpatient physician services.

Unfortunately, even with the passage of MIPPA, a serious mental health inequity remains in Medicare. Medicare beneficiaries are currently limited to only 190-days of inpatient psychiatric hospital care in their lifetime. This lifetime limit directly impacts Medicare beneficiaries' access to psychiatric hospitals, although it does not apply to psychiatric units in general hospitals. This arbitrary cap on benefits is discriminatory to the mentally ill as there is no such lifetime limit for any other Medicare specialty inpatient hospital service. The 190-day lifetime limit is problematic for patients being treated in psychiatric hospitals as they may easily exceed the 190-days if they have a chronic mental illness.

That is why Senator SNOWE and I are working together once again to address the last remaining mental health parity issue in Medicare. Today, we are introducing the Medicare Mental Health Inpatient Equity Act. Our legislation would eliminate the Medicare 190-day lifetime limit for inpatient psychiatric hospital care. It would equalize Medicare mental health coverage with private health insurance coverage, expand beneficiary choice of inpatient psychiatric care providers, increase access for the seriously ill, and improve continuity of care.

This legislation is supported by 46 national organizations that represent hospital associations, seniors' organizations and the mental health community. I would like to thank a number of organizations who have been integral to the development of the Medicare Mental Health Inpatient Equity Act and who have endorsed our legislation today, including the AARP, the American Hospital Association, the National Association of Psychiatric Health Systems, and the American Psychological Association.

Congress has now acted to address mental health parity issues for group health plans and for outpatient Medicare services. It is time to end this outmoded law and ensure that beneficiaries with mental illnesses have access to a range of appropriate settings for their care. I look forward to working with my colleagues in the Senate to achieve mental health parity in Medicare.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 3031. A bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am pleased to join with Senator GRASSLEY to introduce the Drug Free Communities Enhancement Act of 2010, a bill to authorize additional Drug Free Communities grants to help address major emerging drug issues and local drug crises. It is crucial that communities around the country have the leadership and resources needed to respond to serious drug problems in a comprehensive and coordinated manner. Drug Free Community, DFC, coalitions have been proven to significantly lower substance abuse rates in our communities nationwide.

This legislation will allow current and former DFCs to apply for grants of up to $75,000 per year to implement comprehensive, community-wide strategies to address emerging local drug issues or drug crises. The funds may also be used for DFC members to obtain specialized training and technical assistance to improve the operation of their coalitions. These grants, which must be matched dollar for dollar, would be available to DFCs for up to 4 years.

The DFC program encourages local citizens to become directly involved in solving their community's drug issues through grassroots community organizing and data-driven planning and implementation. Research shows that effective prevention hinges on the extent to which the entire community works comprehensively and collaboratively to implement education, prevention, enforcement, treatment, and recovery initiatives. The DFC program strategically invests Federal anti-drug resources at the community level with those who have the most power to reduce the demand for drugs—namely parents, teachers, business leaders, the media, religious leaders, law enforcement officials, youth, and others. Drug Free Communities grantees execute collaborative strategies to address their communities' unique substance use and abuse issues. This is the optimal way to ensure that the entire community benefits from prevention.

In Vermont, we have felt the presence of drug abuse and drug-related crime in our communities. The myth persists that drug abuse and drug-related crime are only big-city problems, but rural America is also coping with these issues. I have twice brought the Judiciary Committee to Vermont to examine these problems and gain perspectives to help shape solutions, and I hope to hold another field hearing in Vermont soon. I know well that law enforcement alone is not the solution for our communities. I have long advocated an approach with equal attention to law enforcement, prevention and education, and treatment.

Perhaps the most important component in dealing with this crucial problem is collaboration. Community anti-drug coalitions have a unique ability to build on pre-existing relationships among parents, teachers, students, and law enforcement, which make them a critical component in reducing drug use. I have consistently supported funding for these coalitions and was pleased that last year 14 Vermont coalitions were awarded Drug Free Community grants totaling $1.2 million.

Last week, I spoke with a number of Vermonters representing these community partnerships and heard about the innovative frameworks they have implemented to combat drug abuse in their communities, thanks in large part to DFC grants. This bill will enable many of them to secure supplemental funding to continue the important work they do every day. Indeed, communities nationwide who are facing serious drug issues will benefit from these enhancement grants.

The community coalition model has proven extremely effective, and has achieved impressive outcomes. We see significant results when we have people working together at the local, state, and Federal levels, and in the law enforcement, prevention, and treatment fields. We have seen that success in Vermont and throughout the country, but there is more work to be done. Drug abuse and drug-related crime is a persistent problem in America, in major metropolitan areas and rural communities alike. I hope all Senators will support this bipartisan bill so that communities nationwide can sustain effective community coalitions to reduce youth drug use.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3031

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 ''Drug Free Communities Enhancement Act of 2010''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The epidemiology of drug use indicates that emerging drug trends increase over a

short period of time and tend to cluster in discrete geographic areas. Historical evidence shows that emerging local drug issues and crises can be stopped or mitigated before they spread to other areas, if they are identified quickly and addressed in a comprehensive multi-sector manner.

(2) Federal investments in drug prevention should not be solely based on national data and trends, but must be flexible enough to address emerging local problems and local drug crises before they become national trends.

(3) Successful drug prevention must be based on local data and involve multiple community sectors in planning and implementing specifically targeted strategies that respond to the unique drug problems of the community.

(4) Data and outcomes show that effective community coalitions can markedly reduce local drug use rates for drugs such as marijuana and inhalants among school-aged youth.

(5) Community coalitions are singularly situated to deal with emerging drug issues and local drug crises, such as methamphetamine, cheese (a mixture of black tar heroin and Tylenol PM), and prescription and nonprescription drug abuse because the community coalitions are organized, data driven, and take a comprehensive, multi-sector approach to solving and addressing locally identified drug problems.

(6) Providing enhancement grants to coalitions to address emerging local drug issues or local drug crises is a cost effective way to deal with these drug issues. This approach builds on existing infrastructures with proven results that include all of the relevant community sectors needed to comprehensively address specific emerging drug issues and crises, and guards against using Federal funding to create duplicative community based infrastructures for substance abuse prevention.

SEC. 3. COMMUNITY-BASED COALITION ENHANCEMENT GRANTS TO ADDRESS EMERGING DRUG ISSUES OR LOCAL DRUG CRISES.

(a) DEFINITIONS.—In this section—

(1) the term ''Director'' means the Director of the Office of National Drug Control Policy;

(2) the term ''drug'' means—

(A) a substance listed on schedule I, II, III, IV, or V of section 202 of the Controlled Substances Act (21 U.S.C. 812(c));

(B) inhalants;

(C) if used in a manner that is illegal, a prescription or over the counter drug or medicine; and

(D) another mind altering substance with the potential for abuse, as determined by the Director, not listed on a schedule of section 202(c) of the Controlled Substance Act (21 U.S.C. 812(c));

(3) the term ''emerging local drug issue'' means, with respect to the area served by an eligible entity, a sudden increase in the use or abuse of a particular drug in the community, as documented by local data;

(4) the term ''local drug crisis'' means, with respect to the area served by an eligible entity, the use of a specific drug in the area at levels that are significantly higher than the national average, over a sustained period of time, as documented by local data;

(5) the term ''eligible entity'' means an organization that—

(A) is receiving or has received a grant under chapter 2 of title I of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.) (commonly known as the Drug-Free Communities Act of 1997); and

(B) has documented, using local data—

(i) for an emerging local drug issue—

(I) rates of drug use and abuse above the national average, as determined by the Director (including appropriate consideration of the Monitoring of the Future Survey published by the Department of Health and Human Services), for comparable time periods; or

(II) if national data is not available, at the discretion of the Director, high rates of drug use or abuse based solely on valid local data; or

(ii) for a local drug crisis—

(I) rates of use and abuse for a specific drug at levels that are significantly higher than the national average, as determined by the Director (including appropriate consideration of the Monitoring of the Future Survey published by the Department of Health and Human Services and the National Survey on Drug Use and Health by the Substance Abuse and Mental Health Service Administration); and

(II) rates of use and abuse for a specific drug that continue over a sustained period of time, as determined by the Director.

(b) AUTHORIZATION OF PROGRAM.—The Director may make enhancement grants to eligible entities to implement comprehensive community-wide strategies that address emerging local drug issues or local drug crises within the area served by the eligible entity.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible entity desiring an enhancement grant under this section shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may require.

(2) CRITERIA.—As part of an application for a grant under this section, the Director shall require an eligible entity to submit a detailed, comprehensive, multi-sector plan for addressing the emerging local drug issue or local drug crises within the area served by the eligible entity.

(d) USES OF FUNDS.—A grant under this section shall be used to—

(1) implement comprehensive, community-wide prevention strategies to address an emerging local drug issue or drug crises in the area served by an eligible entity, in accordance with the plan submitted under subsection (c)(2); and

(2) obtain specialized training and technical assistance from the entity receiving a grant under section 4 of Public Law 107–82 (21 U.S.C. 1521 note).

(e) GRANT AMOUNTS.—

(1) IN GENERAL.—The total amount of grant funds awarded to an eligible entity for a fiscal year may not exceed the amount of non-Federal funds raised by the eligible entity, including in-kind contributions, for that fiscal year.

(2) GRANT AWARDS.—A grant under this section shall—

(A) be made for a period of not more than 4 years; and

(B) be for not more than $75,000 per year.

(f) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, not supplant, Federal and non-Federal funds available for carrying out the activities described in this section.

(g) EVALUATION.—A grant under this section shall be subject to the same evaluation requirements and procedures as the evaluation requirements and procedures imposed on the recipient of a grant under chapter 2 of title I of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.) (commonly known as the Drug-Free Communities Act of 1997).

(h) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated to carry out this section for any fiscal year may be used by the Director for administrative expenses.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2011 through 2015 to carry out this section.

Mr. GRASSLEY. Mr. President, in 1997 then-Senator BIDEN and I sponsored legislation to create the Drug Free Communities, DFC, grant program. At the time, I believed, as I still do today, that one of the most effective ways the Federal Government can prevent drug abuse from flourishing is by supporting local community efforts to identify, prevent and eradicate the sources of abuse. Since the passage of the Drug Free Communities Act, hundreds of community anti-drug coalitions have received Federal grants to further their efforts to halt the spread of drug abuse in their communities.

Despite the successes of the DFC program, drug abuse continues to challenge our communities. More often than not, a community can rise up to meet this challenge head on and confront the abuse before it spreads. However, drug abuse is one challenge that can emerge in rapid fashion. In difficult economic times when States and communities struggle to stay within their budgets without eliminating vital services, it is important that community anti-drug coalitions do not suffer from a lack of resources. This is why I am pleased to join my colleague, Senator LEAHY, in introducing the Drug Free Communities Enhancement Act, DFCEA, of 2010.

This legislation builds off the successful DFC grant program by allowing community coalitions to form a strategy that best fits their community to confront a sudden or emerging drug threat without Federal interference. The DFCEA authorizes $5 million to the Office of National Drug Control Policy to award supplemental grants of up to $75,000 to current and past DFC grantees to address an emerging drug issue or crisis. The grantee would be eligible to receive these supplemental grants for up to a 4 year period if they document, using local data, rates of drug abuse higher than the national average.

In my home State of Iowa, communities face unique challenges in confronting drug abuse. In Polk County, the home of the State capitol of Des Moines, 37 percent of 11th graders admitted to using marijuana in the 2008 Iowa Youth Survey. This is significantly higher than the statewide average of 27 percent from the same survey. This number is also 4 percent higher than the national average according to the 2009 Monitoring the Future survey of 12th graders. In Black Hawk County, the home of Waterloo and Cedar Falls, 8 percent of 11th graders admitted to using over-the-counter cold medicines to get high according to the Iowa Youth Survey. This is higher than the 6 percent of the Nation's 12th graders who admitted to cold medicine abuse in the Monitoring the Future survey. Communities like these would benefit under the DFCEA, because they would

be able to apply for a supplemental grant to put a strategy into action to reduce these use rates.

Community coalitions represent the front lines in the fight against drug abuse. The DFCEA will help to ensure that community coalitions will remain strong and vibrant no matter the economic or drug trend situation in the community. Drug abuse flourishes when the problem is ignored. If we are to overcome the challenges of drug abuse we must stand untied in the effort. I urge my colleagues to join us as we continue this fight to keep our communities drug free.

By Mr. DURBIN (for himself, Mr. BROWN of Ohio, Mr. HARKIN, and Mr. FRANKEN):

S. 3033. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3033

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Protecting Employees and Retirees in Business Bankruptcies Act of 2010''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—IMPROVING RECOVERIES FOR EMPLOYEES AND RETIREES

Sec. 101. Increased wage priority.
Sec. 102. Claim for stock value losses in defined contribution plans.
Sec. 103. Priority for severance pay.
Sec. 104. Financial returns for employees and retirees.
Sec. 105. Priority for WARN Act damages.

TITLE II—REDUCING EMPLOYEES' AND RETIREES' LOSSES

Sec. 201. Rejection of collective bargaining agreements.
Sec. 202. Payment of insurance benefits to retired employees.
Sec. 203. Protection of employee benefits in a sale of assets.
Sec. 204. Claim for pension losses.
Sec. 205. Payments by secured lender.
Sec. 206. Preservation of jobs and benefits.
Sec. 207. Termination of exclusivity.

TITLE III—RESTRICTING EXECUTIVE COMPENSATION PROGRAMS

Sec. 301. Executive compensation upon exit from bankruptcy.
Sec. 302. Limitations on executive compensation enhancements.
Sec. 303. Assumption of executive benefit plans.
Sec. 304. Recovery of executive compensation.
Sec. 305. Preferential compensation transfer.

TITLE IV—OTHER PROVISIONS

Sec. 401. Union proof of claim.
Sec. 402. Exception from automatic stay.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Business bankruptcies have increased sharply over the past year and remain at high levels. These bankruptcies include several of the largest business bankruptcy filings in history. As the use of bankruptcy has expanded, job preservation and retirement security are placed at greater risk.

(2) Laws enacted to improve recoveries for employees and retirees and limit their losses in bankruptcy cases have not kept pace with the increasing and broader use of bankruptcy by businesses in all sectors of the economy. However, while protections for employees and retirees in bankruptcy cases have eroded, management compensation plans devised for those in charge of troubled businesses have become more prevalent and are escaping adequate scrutiny.

(3) Changes in the law regarding these matters are urgently needed as bankruptcy is used to address increasingly more complex and diverse conditions affecting troubled businesses and industries.

TITLE I—IMPROVING RECOVERIES FOR EMPLOYEES AND RETIREES

SEC. 101. INCREASED WAGE PRIORITY.

Section 507(a) of title 11, United States Code, is amended—

(1) in paragraph (4)—

(A) by striking ''$10,000'' and inserting ''$20,000'';

(B) by striking ''within 180 days''; and

(C) by striking ''or the date of the cessation of the debtor's business, whichever occurs first,'';

(2) in paragraph (5)(A), by striking—

(A) ''within 180 days''; and

(B) ''or the date of the cessation of the debtor's business, whichever occurs first''; and

(3) in paragraph (5), by striking subparagraph (B) and inserting the following:

''(B) for each such plan, to the extent of the number of employees covered by each such plan, multiplied by $20,000.''.

SEC. 102. CLAIM FOR STOCK VALUE LOSSES IN DEFINED CONTRIBUTION PLANS.

Section 101(5) of title 11, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following:

''(C) right or interest in equity securities of the debtor, or an affiliate of the debtor, held in a defined contribution plan (within the meaning of section 3(34) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(34))) for the benefit of an individual who is not an insider, a senior executive officer, or any of the 20 next most highly compensated employees of the debtor (if 1 or more are not insiders), if such securities were attributable to either employer contributions by the debtor or an affiliate of the debtor, or elective deferrals (within the meaning of section 402(g) of the Internal Revenue Code of 1986), and any earnings thereon, if an employer or plan sponsor who has commenced a case under this title has committed fraud with respect to such plan or has otherwise breached a duty to the participant that has proximately caused the loss of value.''.

SEC. 103. PRIORITY FOR SEVERANCE PAY.

Section 503(b) of title 11, United States Code, is amended—

(1) in paragraph (8), by striking ''and'' at the end;

(2) in paragraph (9), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(10) severance pay owed to employees of the debtor (other than to an insider, other senior management, or a consultant retained to provide services to the debtor), under a plan, program, or policy generally applicable to employees of the debtor (but not under an individual contract of employment), or owed pursuant to a collective bargaining agreement, for layoff or termination on or after the date of the filing of the petition, which pay shall be deemed earned in full upon such layoff or termination of employment.''.

SEC. 104. FINANCIAL RETURNS FOR EMPLOYEES AND RETIREES.

Section 1129(a) of title 11, United States Code is amended—

(1) by adding at the end the following:

''(17) The plan provides for recovery of damages payable for the rejection of a collective bargaining agreement, or for other financial returns as negotiated by the debtor and the authorized representative under section 1113 (to the extent that such returns are paid under, rather than outside of, a plan).''; and

(2) by striking paragraph (13) and inserting the following:

''(13) With respect to retiree benefits, as that term is defined in section 1114(a), the plan—

''(A) provides for the continuation after its effective date of payment of all retiree benefits at the level established pursuant to subsection (e)(1)(B) or (g) of section 1114 at any time before the date of confirmation of the plan, for the duration of the period for which the debtor has obligated itself to provide such benefits, or if no modifications are made before confirmation of the plan, the continuation of all such retiree benefits maintained or established in whole or in part by the debtor before the date of the filing of the petition; and

''(B) provides for recovery of claims arising from the modification of retiree benefits or for other financial returns, as negotiated by the debtor and the authorized representative (to the extent that such returns are paid under, rather than outside of, a plan).''.

SEC. 105. PRIORITY FOR WARN ACT DAMAGES.

Section 503(b)(1)(A)(ii) of title 11, United States Code is amended to read as follows:

''(ii) wages and benefits awarded pursuant to a judicial proceeding or a proceeding of the National Labor Relations Board as back pay or damages attributable to any period of time occurring after the date of commencement of the case under this title, as a result of a violation of Federal or State law by the debtor, without regard to the time of the occurrence of unlawful conduct on which the award is based or to whether any services were rendered on or after the commencement of the case, including an award by a court under section 2901 of title 29, United States Code, of up to 60 days' pay and benefits following a layoff that occurred or commenced at a time when such award period includes a period on or after the commencement of the case, if the court determines that payment of wages and benefits by reason of the operation of this clause will not substantially increase the probability of layoff or termination of current employees or of nonpayment of domestic support obligations during the case under this title.''.

TITLE II—REDUCING EMPLOYEES' AND RETIREES' LOSSES

SEC. 201. REJECTION OF COLLECTIVE BARGAINING AGREEMENTS.

Section 1113 of title 11, United States Code, is amended by striking subsections (a) through (f) and inserting the following:

''(a) The debtor in possession, or the trustee if one has been appointed under this chapter, other than a trustee in a case covered by subchapter IV of this chapter and by title I of the Railway Labor Act, may reject a collective bargaining agreement only in accordance with this section. Hereinafter in this section, a reference to the trustee includes a reference to the debtor in possession.

''(b) No provision of this title shall be construed to permit the trustee to unilaterally terminate or alter any provision of a collective bargaining agreement before complying with this section. The trustee shall timely pay all monetary obligations arising under the terms of the collective bargaining agreement. Any such payment required to be made before a plan confirmed under section 1129 is effective has the status of an allowed administrative expense under section 503.

''(c)(1) If the trustee seeks modification of a collective bargaining agreement, then the trustee shall provide notice to the labor organization representing the employees covered by the agreement that modifications are being proposed under this section, and shall promptly provide an initial proposal for modifications to the agreement. Thereafter, the trustee shall confer in good faith with the labor organization, at reasonable times and for a reasonable period in light of the complexity of the case, in attempting to reach mutually acceptable modifications of such agreement.

''(2) The initial proposal and subsequent proposals by the trustee for modification of a collective bargaining agreement shall be based upon a business plan for the reorganization of the debtor, and shall reflect the most complete and reliable information available. The trustee shall provide to the labor organization all information that is relevant for negotiations. The court may enter a protective order to prevent the disclosure of information if disclosure could compromise the debtor's position with respect to its competitors in the industry, subject to the needs of the labor organization to evaluate the trustee's proposals and any application for rejection of the agreement or for interim relief pursuant to this section.

''(3) In consideration of Federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the agreement, modifications proposed by the trustee—

''(A) shall be proposed only as part of a program of workforce and nonworkforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs;

''(B) shall be limited to modifications designed to achieve a specified aggregate financial contribution for the employees covered by the agreement (taking into consideration any labor cost savings negotiated within the 12-month period before the filing of the petition), and shall be not more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by the liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term; and

''(C) shall not be disproportionate or overly burden the employees covered by the agreement, either in the amount of the cost savings sought from such employees or the nature of the modifications.

''(d)(1) If, after a period of negotiations, the trustee and the labor organization have not reached an agreement over mutually satisfactory modifications, and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking rejection of the collective bargaining agreement after notice and a hearing. Absent agreement of the parties, no such hearing shall be held before the expiration of the 21-day period beginning on the date on which notice of the hearing is provided to the labor organization representing the employees covered by the agreement. Only the debtor and the labor organization may appear and be heard at such hearing. An application for rejection shall seek rejection effective upon the entry of an order granting the relief.

''(2) In consideration of Federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the agreement, the court may grant a motion seeking rejection of a collective bargaining agreement only if, based on clear and convincing evidence —

''(A) the court finds that the trustee has complied with the requirements of subsection (c);

''(B) the court has considered alternative proposals by the labor organization and has concluded that such proposals do not meet the requirements of paragraph (3)(B) of subsection (c);

''(C) the court finds that further negotiations regarding the trustee's proposal or an alternative proposal by the labor organization are not likely to produce an agreement;

''(D) the court finds that implementation of the trustee's proposal shall not—

''(i) cause a material diminution in the purchasing power of the employees covered by the agreement;

''(ii) adversely affect the ability of the debtor to retain an experienced and qualified workforce; or

''(iii) impair the debtor's labor relations such that the ability to achieve a feasible reorganization would be compromised; and

''(E) the court concludes that rejection of the agreement and immediate implementation of the trustee's proposal is essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term.

''(3) If the trustee has implemented a program of incentive pay, bonuses, or other financial returns for insiders, senior executive officers, or the 20 next most highly compensated employees or consultants providing services to the debtor during the bankruptcy, or such a program was implemented within 180 days before the date of the filing of the petition, the court shall presume that the trustee has failed to satisfy the requirements of subsection (c)(3)(C).

''(4) In no case shall the court enter an order rejecting a collective bargaining agreement that would result in modifications to a level lower than the level proposed by the trustee in the proposal found by the court to have complied with the requirements of this section.

''(5) At any time after the date on which an order rejecting a collective bargaining agreement is entered, or in the case of an agreement entered into between the trustee and the labor organization providing mutually satisfactory modifications, at any time after such agreement has been entered into, the labor organization may apply to the court for an order seeking an increase in the level of wages or benefits, or relief from working conditions, based upon changed circumstances. The court shall grant the request only if the increase or other relief is not inconsistent with the standard set forth in paragraph (2)(E).

''(e) During a period in which a collective bargaining agreement at issue under this section continues in effect, and if essential to the continuation of the debtor's business or in order to avoid irreparable damage to the estate, the court, after notice and a hearing, may authorize the trustee to implement interim changes in the terms, conditions, wages, benefits, or work rules provided by the collective bargaining agreement. Any hearing under this subsection shall be scheduled in accordance with the needs of the trustee. The implementation of such interim changes shall not render the application for rejection moot.

''(f) Rejection of a collective bargaining agreement constitutes a breach of the agreement, and shall be effective no earlier than the entry of an order granting such relief. Notwithstanding the foregoing, solely for purposes of determining and allowing a claim arising from the rejection of a collective bargaining agreement, rejection shall be treated as rejection of an executory contract under section 365(g) and shall be allowed or disallowed in accordance with section 502(g)(1). No claim for rejection damages shall be limited by section 502(b)(7). Economic self-help by a labor organization shall be permitted upon a court order granting a motion to reject a collective bargaining agreement under subsection (d) or pursuant to subsection (e), and no provision of this title or of any other provision of Federal or State law may be construed to the contrary.

''(g) The trustee shall provide for the reasonable fees and costs incurred by a labor organization under this section, upon request and after notice and a hearing.

''(h) A collective bargaining agreement that is assumed shall be assumed in accordance with section 365.''.

SEC. 202. PAYMENT OF INSURANCE BENEFITS TO RETIRED EMPLOYEES.

Section 1114 of title 11, United States Code, is amended—

(1) in subsection (a), by inserting '', whether or not the debtor asserts a right to unilaterally modify such payments under such plan, fund, or program'' before the period at the end;

(2) in subsection (b)(2), by inserting after ''section'' the following: '', and a labor organization serving as the authorized representative under subsection (c)(1),'';

(3) in subsection (f), by striking ''(f)'' and all that follows through paragraph (2) and inserting the following:

''(f)(1) If a trustee seeks modification of retiree benefits, then the trustee shall provide a notice to the authorized representative that modifications are being proposed pursuant to this section, and shall promptly provide an initial proposal. Thereafter, the trustee shall confer in good faith with the authorized representative at reasonable times and for a reasonable period in light of the complexity of the case in attempting to reach mutually satisfactory modifications.

''(2) The initial proposal and subsequent proposals by the trustee shall be based upon a business plan for the reorganization of the debtor and shall reflect the most complete and reliable information available. The trustee shall provide to the authorized representative all information that is relevant for the negotiations. The court may enter a protective order to prevent the disclosure of information if disclosure could compromise the debtor's position with respect to its competitors in the industry, subject to the needs of the authorized representative to evaluate the trustee's proposals and an application pursuant to subsection (g) or (h).

''(3) Modifications proposed by the trustee—

''(A) shall be proposed only as part of a program of workforce and nonworkforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs;

''(B) shall be limited to modifications that are designed to achieve a specified aggregate financial contribution for the retiree group represented by the authorized representative (taking into consideration any cost savings implemented within the 12-month period before the date of filing of the petition with respect to the retiree group), and shall be no more than the minimum savings essential to

permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by the liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term; and

''(C) shall not be disproportionate or overly burden the retiree group, either in the amount of the cost savings sought from such group or the nature of the modifications.'';

(4) in subsection (g)—

(A) by striking ''(g)'' and all that follows through the semicolon at the end of paragraph (3) and inserting the following:

''(g)(1) If, after a period of negotiations, the trustee and the authorized representative have not reached agreement over mutually satisfactory modifications and further negotiations are not likely to produce mutually satisfactory modifications, then the trustee may file a motion seeking modifications in the payment of retiree benefits after notice and a hearing. Absent agreement of the parties, no such hearing shall be held before the expiration of the 21-day period beginning on the date on which notice of the hearing is provided to the authorized representative. Only the debtor and the authorized representative may appear and be heard at such hearing.

''(2) The court may grant a motion to modify the payment of retiree benefits only if, based on clear and convincing evidence—

''(A) the court finds that the trustee has complied with the requirements of subsection (f);

''(B) the court has considered alternative proposals by the authorized representative and has determined that such proposals do not meet the requirements of subsection (f)(3)(B);

''(C) the court finds that further negotiations regarding the trustee's proposal or an alternative proposal by the authorized representative are not likely to produce a mutually satisfactory agreement;

''(D) the court finds that implementation of the proposal shall not cause irreparable harm to the affected retirees; and

''(E) the court concludes that an order granting the motion and immediate implementation of the trustee's proposal is essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by liquidation, or the need for further financial reorganization, of the debtor (or a successor to the debtor) in the short term.

''(3) If a trustee has implemented a program of incentive pay, bonuses, or other financial returns for insiders, senior executive officers, or the 20 next most highly-compensated employees or consultants providing services to the debtor during the bankruptcy, or such a program was implemented within 180 days before the date of the filing of the petition, the court shall presume that the trustee has failed to satisfy the requirements of subparagraph (f)(3)(C).''; and

(B) by striking ''except that in no case'' and inserting the following:

''(4) In no case''; and

(5) by striking subsection (k) and redesignating subsections (l) and (m) as subsections (k) and (l), respectively.

SEC. 203. PROTECTION OF EMPLOYEE BENEFITS IN A SALE OF ASSETS.

Section 363(b) of title 11, United States Code, is amended by adding at the end the following:

''(3) In approving a sale under this subsection, the court shall consider the extent to which a bidder has offered to maintain existing jobs, preserve terms and conditions of employment, and assume or match pension and retiree health benefit obligations in determining whether an offer constitutes the highest or best offer for such property.''.

SEC. 204. CLAIM FOR PENSION LOSSES.

Section 502 of title 11, United States Code, is amended by adding at the end the following:

''(l) The court shall allow a claim asserted by an active or retired participant, or by a labor organization representing such participants, in a defined benefit plan terminated under section 4041 or 4042 of the Employee Retirement Income Security Act of 1974, for any shortfall in pension benefits accrued as of the effective date of the termination of such pension plan as a result of the termination of the plan and limitations upon the payment of benefits imposed pursuant to section 4022 of such Act, notwithstanding any claim asserted and collected by the Pension Benefit Guaranty Corporation with respect to such termination.

''(m) The court shall allow a claim of a kind described in section 101(5)(C) by an active or retired participant in a defined contribution plan (within the meaning of section 3(34) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(34)), or by a labor organization representing such participants. The amount of such claim shall be measured by the market value of the stock at the time of contribution to, or purchase by, the plan and the value as of the commencement of the case.''.

SEC. 205. PAYMENTS BY SECURED LENDER.

Section 506(c) of title 11, United States Code, is amended by adding at the end the following: ''If employees have not received wages, accrued vacation, severance, or other benefits owed under the policies and practices of the debtor, or pursuant to the terms of a collective bargaining agreement, for services rendered on and after the date of the commencement of the case, then such unpaid obligations shall be deemed necessary costs and expenses of preserving, or disposing of, property securing an allowed secured claim and shall be recovered even if the trustee has otherwise waived the provisions of this subsection under an agreement with the holder of the allowed secured claim or a successor or predecessor in interest.''.

SEC. 206. PRESERVATION OF JOBS AND BENEFITS.

Title 11, United States Code, is amended—

(1) by inserting before section 1101 the following:

''SEC. 1100. STATEMENT OF PURPOSE.

''A debtor commencing a case under this chapter shall have as its principal purpose the reorganization of its business to preserve going concern value to the maximum extent possible through the productive use of its assets and the preservation of jobs that will sustain productive economic activity.'';

(2) in section 1129(a), as amended by section 104, by adding at the end the following:

''(18) The debtor has demonstrated that the reorganization preserves going concern value to the maximum extent possible through the productive use of the debtor's assets and preserves jobs that sustain productive economic activity.'';

(3) in section 1129(c), by striking the last sentence and inserting the following: ''If the requirements of subsections (a) and (b) are met with respect to more than 1 plan, the court shall, in determining which plan to confirm—

''(1) consider the extent to which each plan would preserve going concern value through the productive use of the debtor's assets and the preservation of jobs that sustain productive economic activity; and

''(2) confirm the plan that better serves such interests.

A plan that incorporates the terms of a settlement with a labor organization representing employees of the debtor shall presumptively constitute the plan that satisfies this subsection.''; and

(4) in the table of sections for chapter 11, by inserting the following before the item relating to section 1101:

''1100. Statement of purpose.''.

SEC. 207. TERMINATION OF EXCLUSIVITY.

Section 1121(d) of title 11, United States Code, is amended by adding at the end the following:

''(3) For purposes of this subsection, cause for reducing the 120-day period or the 180-day period includes the following:

''(A) The filing of a motion pursuant to section 1113 seeking rejection of a collective bargaining agreement if a plan based upon an alternative proposal by the labor organization is reasonably likely to be confirmed within a reasonable time.

''(B) The proposed filing of a plan by a proponent other than the debtor, which incorporates the terms of a settlement with a labor organization if such plan is reasonably likely to be confirmed within a reasonable time.''.

TITLE III—RESTRICTING EXECUTIVE COMPENSATION PROGRAMS

SEC. 301. EXECUTIVE COMPENSATION UPON EXIT FROM BANKRUPTCY.

Section 1129(a) of title 11, United States Code, is amended—

(1) in paragraph (4), by adding at the end the following: ''Except for compensation subject to review under paragraph (5), payments or other distributions under the plan to or for the benefit of insiders, senior executive officers, and any of the 20 next most highly compensated employees or consultants providing services to the debtor, shall not be approved except as part of a program of payments or distributions generally applicable to employees of the debtor, and only to the extent that the court determines that such payments are not excessive or disproportionate compared to distributions to the debtor's nonmanagement workforce.''; and

(2) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking ''and'' at the end; and

(B) in subparagraph (B), by striking the period at the end and inserting the following: ''; and

''(C) the compensation disclosed pursuant to subparagraph (B) has been approved by, or is subject to the approval of, the court as reasonable when compared to individuals holding comparable positions at comparable companies in the same industry and not disproportionate in light of economic concessions by the debtor's nonmanagement workforce during the case.''.

SEC. 302. LIMITATIONS ON EXECUTIVE COMPENSATION ENHANCEMENTS.

Section 503(c) of title 11, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting '', a senior executive officer, or any of the 20 next most highly compensated employees or consultants'' after ''an insider'';

(B) by inserting ''or for the payment of performance or incentive compensation, or a bonus of any kind, or other financial returns designed to replace or enhance incentive, stock, or other compensation in effect before the date of the commencement of the case,'' after ''remain with the debtor's business,''; and

(C) by inserting ''clear and convincing'' before ''evidence in the record''; and

(2) by amending paragraph (3) to read as follows:

''(3) other transfers or obligations, to or for the benefit of insiders, senior executive officers, managers, or consultants providing services to the debtor, in the absence of a finding by the court, based upon clear and convincing evidence, and without deference to the debtor's request for such payments,

that such transfers or obligations are essential to the survival of the debtor's business or (in the case of a liquidation of some or all of the debtor's assets) essential to the orderly liquidation and maximization of value of the assets of the debtor, in either case, because of the essential nature of the services provided, and then only to the extent that the court finds such transfers or obligations are reasonable compared to individuals holding comparable positions at comparable companies in the same industry and not disproportionate in light of economic concessions by the debtor's nonmanagement workforce during the case.''.

SEC. 303. ASSUMPTION OF EXECUTIVE BENEFIT PLANS.

Section 365 of title 11, United States Code, is amended—

(1) in subsection (a), by striking ''and (d)'' and inserting ''(d), (q), and (r)''; and

(2) by adding at the end the following:

''(q) No deferred compensation arrangement for the benefit of insiders, senior executive officers, or any of the 20 next most highly compensated employees of the debtor shall be assumed if a defined benefit plan for employees of the debtor has been terminated pursuant to section 4041 or 4042 of the Employee Retirement Income Security Act of 1974, on or after the date of the commencement of the case or within 180 days before the date of the commencement of the case.

''(r) No plan, fund, program, or contract to provide retiree benefits for insiders, senior executive officers, or any of the 20 next most highly compensated employees of the debtor shall be assumed if the debtor has obtained relief under subsection (g) or (h) of section 1114 to impose reductions in retiree benefits or under subsection (d) or (e) of section 1113 to impose reductions in the health benefits of active employees of the debtor, or reduced or eliminated health benefits for active or retired employees within 180 days before the date of the commencement of the case.''.

SEC. 304. RECOVERY OF EXECUTIVE COMPENSATION.

Title 11, United States Code, is amended by inserting after section 562 the following:

''SEC. 563. RECOVERY OF EXECUTIVE COMPENSATION.

''(a) If a debtor has obtained relief under subsection (d) of section 1113, or subsection (g) of section 1114, by which the debtor reduces the cost of its obligations under a collective bargaining agreement or a plan, fund, or program for retiree benefits as defined in section 1114(a), the court, in granting relief, shall determine the percentage diminution in the value of the obligations when compared to the debtor's obligations under the collective bargaining agreement, or with respect to retiree benefits, as of the date of the commencement of the case under this title before granting such relief. In making its determination, the court shall include reductions in benefits, if any, as a result of the termination pursuant to section 4041 or 4042 of the Employee Retirement Income Security Act of 1974, of a defined benefit plan administered by the debtor, or for which the debtor is a contributing employer, effective at any time on or after 180 days before the date of the commencement of a case under this title. The court shall not take into account pension benefits paid or payable under of such Act as a result of any such termination.

''(b) If a defined benefit pension plan administered by the debtor, or for which the debtor is a contributing employer, has been terminated pursuant to section 4041 or 4042 of the Employee Retirement Income Security Act of 1974, effective at any time on or after 180 days before the date of the commencement of a case under this title, but a debtor has not obtained relief under subsection (d) of section 1113, or subsection (g) of section 1114, then the court, upon motion of a party in interest, shall determine the percentage diminution in the value of benefit obligations when compared to the total benefit liabilities before such termination. The court shall not take into account pension benefits paid or payable under title IV of the Employee Retirement Income Security Act of 1974 as a result of any such termination.

''(c) Upon the determination of the percentage diminution in value under subsection (a) or (b), the estate shall have a claim for the return of the same percentage of the compensation paid, directly or indirectly (including any transfer to a self-settled trust or similar device, or to a nonqualified deferred compensation plan under section 409A(d)(1) of the Internal Revenue Code of 1986) to any officer of the debtor serving as member of the board of directors of the debtor within the year before the date of the commencement of the case, and any individual serving as chairman or lead director of the board of directors at the time of the granting of relief under section 1113 or 1114 or, if no such relief has been granted, the termination of the defined benefit plan.

''(d) The trustee or a committee appointed pursuant to section 1102 may commence an action to recover such claims, except that if neither the trustee nor such committee commences an action to recover such claim by the first date set for the hearing on the confirmation of plan under section 1129, any party in interest may apply to the court for authority to recover such claim for the benefit of the estate. The costs of recovery shall be borne by the estate.

''(e) The court shall not award postpetition compensation under section 503(c) or otherwise to any person subject to subsection (c) if there is a reasonable likelihood that such compensation is intended to reimburse or replace compensation recovered by the estate under this section.''.

SEC. 305. PREFERENTIAL COMPENSATION TRANSFER.

Section 547 of title 11, United States Code, is amended by adding at the end the following:

''(j) The trustee may avoid a transfer to or for the benefit of an insider (including an obligation incurred for the benefit of an insider under an employment contract) made in anticipation of bankruptcy, or a transfer made in anticipation of bankruptcy to a consultant who is formerly an insider and who is retained to provide services to an entity that becomes a debtor (including an obligation under a contract to provide services to such entity or to a debtor) made or incurred on or within 1 year before the filing of the petition. No provision of subsection (c) shall constitute a defense against the recovery of such transfer. The trustee or a committee appointed pursuant to section 1102 may commence an action to recover such transfer, except that, if neither the trustee nor such committee commences an action to recover such transfer by the time of the commencement of a hearing on the confirmation of a plan under section 1129, any party in interest may apply to the court for authority to recover the claims for the benefit of the estate. The costs of recovery shall be borne by the estate.''.

TITLE IV—OTHER PROVISIONS

SEC. 401. UNION PROOF OF CLAIM.

Section 501(a) of title 11, United States Code, is amended by inserting '', including a labor organization,'' after ''A creditor''.

SEC. 402. EXCEPTION FROM AUTOMATIC STAY.

Section 362(b) of title 11, United States Code, is amended—

(1) in paragraph (27), by striking ''and'' at the end;

(2) in paragraph (28), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(29) of the commencement or continuation of a grievance, arbitration, or similar dispute resolution proceeding established by a collective bargaining agreement that was or could have been commenced against the debtor before the filing of a case under this title, or the payment or enforcement of an award or settlement under such proceeding.''.

By Mr. DODD (for himself and Mr. UDALL, of New Mexico):

S.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

Mr. DODD. Mr. President, I rise to discuss a constitutional amendment I am introducing today, along with my colleague Senator TOM UDALL, in the wake of the U.S. Supreme Court's recent Citizens United v. Federal Election Commission decision. This proposed amendment would simply authorize Congress to regulate the raising and spending of money for Federal political campaigns—including independent expenditures—and allow States to regulate such spending at their level. It would also provide for implementation and enforcement of the amendment through appropriate legislation. I invite my colleagues on both sides of the aisle to join us by cosponsoring the amendment.

Let me begin by noting that I am a firm believer in the sanctity of the First Amendment. I believe we must continue to do all we can to protect the free speech rights of all Americans. I do not suggest changing the language of the First Amendment, which I revere. But I do not believe that money is speech, nor do I believe that corporations should be treated exactly the same as individual Americans when it comes to protected, fundamental speech rights. That is what the Supreme Court has effectively now held.

I recognize that amending the Constitution is a long-term undertaking, and that this effort will not likely bear fruit during my remaining time in this body. Reinhold Niebuhr said that nothing worth doing is completed in our lifetime; I would add much less during a Senate term.' I hope that in the wake of this court decision we can begin that comprehensive reform effort; I know that it would be worth doing. The Constitution itself establishes a long and complex process for its own amendment, including approval by Congress and the States, and I am proposing to use that process to save our democratic system of government, and ultimately our republic, from the continued corrosion of special interest influence.

I am introducing the amendment because I believe that constitutional

questions deserve constitutional answers. While I intend to support interim legislative steps to address urgently those issues that can be addressed in the wake of this decision, including increased disclosure requirements, further limitations to prevent foreign corporations' influence on our elections, and other measures, I think the scope of such efforts is limited by the court's sweeping, even radical conclusions in this case.

Make no mistake, as much of the commentary surrounding it suggests, the Citizens United case is one of the most radical decisions in the court's long history of campaign finance reform jurisprudence. It overturns 100 years of precedents to come to the unjustified conclusion that corporations deserve the same free speech protections as individual Americans. It opens the door to corporations spending vast amounts of money directly from their treasuries to influence Federal elections, and thereby influence Federal officeholders and policy decisions, in ways much more direct and concentrated than is the case now through corporate and union political action committees. If you are concerned now about the undue special interest influence of big banks, energy companies, health insurance firms, pharmaceutical firms and other special interests on our political process, just wait until these entities can spend millions of dollars directly to elect or defeat officeholders. If you are concerned about the special interest-generated paralysis of our legislative process, wait until you see the results of this decision. As one distinguished Republican election lawyer who opposes the decision recently said, it will be the ''wild, wild west.''

Perhaps most radical is the court's conclusion that corporations are legal ''persons'' seemingly deserving of the exact same free speech protections as all Americans. This decision notwithstanding, corporations are not people. A first-year law student will note that corporations are basically a legal fiction, entities created with certain limited legal rights designed to enable them to operate in the business world: to enter into and enforce contracts, to conduct transactions, and the like. They can't vote or think or speak or run for office. They only make political and policy decisions through their officers and shareholders, informed by their lobbyists and others. They should not enjoy the same fundamental free speech protections that individual Americans enjoy in our political discourse, or the ability to spend unlimited funds directly from large corporate treasuries for that purpose. As others have observed, the framers could not have imagined, and would not have wanted, a system in which corporations could pour literally billions of dollars into elections and thereby exercise grossly outsized influence over the fate of our elected representatives. Such a system does not promote free speech; it mocks it.

I have worked for decades to reform our campaign finance laws, with colleagues and former colleagues like Senators Boren, Mitchell, BYRD, Daschle, FEINGOLD, KERRY, MCCAIN, Dole, COCHRAN, and others. Time and again we have developed comprehensive bipartisan efforts, only to have them frustrated by a small minority of Senators, or in one case by a veto exercised by the first President Bush. I have served my party as head of the Democratic National Committee, and so I have seen the problems of our current campaign finance system from a variety of perspectives.

In previous debates I have rehearsed the problems with our current system. They include the exponentially increasing costs of campaigns. The endless time we must spend to travel and make calls to raise money, which is then spent mostly on expensive and increasingly negative TV ads in our states. The ways in which special interests buy access and influence, and how such influence erodes the trust and confidence of Americans in our democracy. These problems are systemic, pervasive and fundamental. They require comprehensive, fundamental reforms. A constitutional amendment would create the conditions for the possibility of real statutory reform that could then be adjusted as we go along, to address new abuses and problems as they arise.

I attended the Supreme Court's oral arguments in this case, and I heard in the pointed questions of the Justices who composed this 5–4 majority the portents of this radical decision. But even then I did not anticipate fully how breathtakingly far the court would reach.

That extended reach was not only unwise and unjustified, it was also unnecessary. This court majority, whose members have so forcefully decried judicial activism, might have taken a less radical approach, and resolved the legal issue before them without drawing such sweeping conclusions. Instead, they chose to ride roughshod over decades of the court's own legal precedents and the principle of stare decisis. That is why I believe it is fair to say, as Justice Stevens did in his stinging dissent in this case, that this case was brought by the Justices themselves. I urge my colleagues to read Justice Stevens' detailed, powerful and carefully reasoned dissent. In it, among other things, he observes that the only thing that has really changed since the Supreme Court made its rulings in the Austin, 1990, and McConnell, 2003, decisions, upholding the corporate campaign spending ban, is the composition of the Supreme Court. Instead of deciding the case based on the narrow issues before them, in a raw display of activist judicial power the majority in this sharply divided court took the rare step of asking for the case to be broadened and re-argued, and then issued this sweeping decision.

With this decision, I believe the court has seriously jeopardized its own integrity, already damaged by its hugely controversial decision in Bush v. Gore, and done enormous harm to our democracy—harm which will only become clearer to Americans in the next few years as close Congressional and state races are decided by the spending of corporate interests.

The public reaction to this court decision has been swift and strong, I think because Americans intuitively recognize that it represents an enormous transfer of power away from citizens to wealthy corporations. I saw a poll recently which showed broad opposition to the decision among all Americans—Democrats, Republicans and Independents alike. The poll showed that it was opposed by 66 percent of Democrats, 63 percent of Republicans, and 72 percent of Independents. Americans intuitively recognize the dangers of a decision to allow corporations to spend unlimited funds against candidates. They see this decision's potential to worsen the problem of special interest influence, and to further erode trust and confidence in that process. Though this hasn't been commented on too broadly in the media reports following this decision, I also believe Americans recognize that the next logical step the Supreme Court could take in the wake of this decision is to go beyond this decision which overturns the ban on corporate independent expenditures in campaigns to allow direct corporate contributions to candidates.

This constitutional amendment is a version of one passionately championed for years by Senator Hollings, and updated by Senator SCHUMER in the last Congress. I have decided to reintroduce it at this point in our debate to emphasize that even though I support efforts to do what we can in the interim to reform our campaign finance laws, ultimately we must cut through the underbrush and go directly to the heart of the problem: the Supreme Court's decision in Buckley vs. Valeo and other subsequent decisions which conflate money with speech, and this most recent decision in Citizens United which lifts the long-time ban on direct corporate spending in campaigns.

In these decisions, the Supreme Court has basically made it impossible for Americans to have what they have repeatedly said they want: reasonable regulations of campaign contributions and expenditures which do not either directly or indirectly limit the ideas that may be expressed in the public realm. I submit that such regulations would actually broaden the public debate on a number of issues by freeing it from the narrow confines dictated by special interest money. With its decisions, the Supreme Court has effectively neutered comprehensive efforts to control the ever-spiraling money chase, and has forced legislation intended to control the cancerous effects of money in politics to be more complicated and convoluted than necessary. The complications we are

forced to resort to, in turn, create new opportunities for abuse.

Even without a constitutional amendment, we can try to make some progress. For example, I think we made some decent progress on the McCain-Feingold legislation, even despite the Court's decisions since 2002 narrowing the reach of that law. But we cannot enact truly comprehensive legislation that will get to the heart of the problem under current court rulings. I wish we could. I have long supported a clean elections system of public financing for Congressional campaigns which would integrate spending limits, citizen financing, and other basic reforms. That is the way I think we should go. There are other approaches. But the fact is—and I am sorry for this—that unless the Supreme Court again reverses itself, we cannot get the comprehensive legislation we really need unless we first adopt an amendment to the Constitution.

This amendment is neutral on what kind of regulation of campaigns would be allowed. It simply authorizes such regulation, and leaves it to Congress and state legislatures to determine what might be appropriate. That is where such decisions should be made on these issues: by the people's representatives in Congress and in state legislatures. That is why I think amending the Constitution and enabling Congress to make those decisions is the first step if we are to make real progress on this front.

Others will argue for a narrower constitutional amendment to focus primarily on the issue of corporate expenditures. That is another way to address the issue, though I believe it would still leave many unanswered questions about Congress' ability to regulate broadly in this area. We should have a full and robust debate about all of the options.

Someday we may adopt this idea, if the situation continues to run out of hand. And we may look back to this court decision in 2010 and mark it as an historic watershed, a catalyst for major change. I sincerely hope that will be true, for the sake of this institution and our democratic process, and for the sake of our country. I commend the amendment to my colleagues' attention, and urge them to consider cosponsoring it.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 28

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission by the Congress:

''ARTICLE—

''SECTION 1. Congress shall have power to regulate the raising and spending of money with respect to Federal elections, including through setting limits on—

''(1) the amount of contributions to candidates for nomination for election to, or for election to, Federal office; and

''(2) the amount of expenditures that may be made by, in support of, or in opposition to such candidates.

''SECTION 2. A State shall have power to regulate the raising and spending of money with respect to State elections, including through setting limits on—

''(1) the amount of contributions to candidates for nomination for election to, or for election to, State office; and

''(2) the amount of expenditures that may be made by, in support of, or in opposition to such candidates.

''SECTION 3. Congress shall have power to implement and enforce this article by appropriate legislation.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 421—SUPPORTING THE GOALS AND IDEALS OF ''NATIONAL GUARD YOUTH CHALLENGE DAY''

Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. CHAMBLISS, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BYRD, Mr. ISAKSON, and Mr. BENNETT) submitted the following resolution; which was considered and agreed to:

S. RES. 421

Whereas ''National Guard Youth Challenge Day'' will be celebrated on February 24, 2010;

Whereas high school dropouts need guidance, encouragement, and avenues toward self-sufficiency and success;

Whereas over 1,300,000 students drop out of high school each year, costing this Nation more than $335,000,000,000 in lost wages, revenues, and productivity over the lifetimes of these individuals;

Whereas the life expectancy for a high school dropout is 9 years less than that of a high school graduate, and a high school dropout can expect to earn about $19,000 each year, compared to approximately $28,000 for a high school graduate;

Whereas 54 percent of high school dropouts were jobless during an average month in 2008, with 40 percent having no job for the entire year;

Whereas each annual class of high school dropouts cost this Nation over $17,000,000,000 in publicly subsidized health care over the course of their lives;

Whereas approximately 90 percent of individuals in prisons throughout the United States are high school dropouts;

Whereas the goal of the National Guard Youth Foundation, a non-profit 501(c)(3) organization, is to improve the education, life skills, and employment potential of high school dropouts in the United States through public awareness, scholarships, higher education assistance, and job development programs;

Whereas the National Guard Youth Challenge Program provides military-based training, supervised work experience, assistance in obtaining a high school diploma or equivalent degree, and development of leadership qualities, as well as promotion of citizenship, fellowship, service to their community, life skills training, health and physical education, positive relationships with adults and peers, and career planning;

Whereas the National Guard Youth Challenge Program represents a successful joint effort between States and the Federal Government;

Whereas since 1993, the National Guard Youth Challenge Program has developed 32 programs in 27 States and Puerto Rico;

Whereas since 1993, over 92,850 young individuals have successfully graduated from the program, with 80 percent earning their high school diploma or GED certificate, 24 percent going to college, 18 percent joining the military, and 57 percent entering the workforce with career jobs;

Whereas the National Guard Youth Challenge Program has successfully helped high school dropouts in this Nation; and

Whereas the National Guard Youth Challenge Program can play a larger role in providing assistance to the youth of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of ''National Guard Youth Challenge Day''; and

(2) calls upon the people of the United States to observe ''National Guard Youth Challenge Day'' on February 24, 2010, with appropriate ceremonies and respect.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3326. Mr. REID proposed an amendment to the bill H.R. 1299, to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

SA 3327. Mr. REID proposed an amendment to amendment SA 3326 proposed by Mr. REID to the bill H.R. 1299, supra.

SA 3328. Mr. REID proposed an amendment to the bill H.R. 1299, supra.

SA 3329. Mr. REID proposed an amendment to the bill H.R. 1299, supra.

SA 3330. Mr. REID proposed an amendment to amendment SA 3329 proposed by Mr. REID to the bill H.R. 1299, supra.

SA 3331. Mr. REID proposed an amendment to the bill H.R. 3961, to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration.

SA 3332. Mr. REID proposed an amendment to the bill H.R. 3961, supra.

TEXT OF AMENDMENTS

SA 3326. Mr. REID proposed an amendment to the bill H.R. 1299, to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; as follows:

At the end of the amendment, insert the following:

The provisions of this act shall become effective 5 days after enactment

SA 3327. Mr. REID proposed an amendment to amendment SA 3326 proposed by Mr. REID to the bill H.R. 1299, to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; as follows:

In the amendment, strike ''5'' and insert ''4''.

SA 3328. Mr. REID proposed an amendment to the bill H.R. 1299, to

make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; as follows:

At the end, insert the following:

The Senate Rules Committee is requested to study the benefit of enacting a travel promotion measure, and the impact of job creation by its enactment.

SA 3329. Mr. REID proposed an amendment to the bill H.R. 1299, to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; as follows:

At the end, insert the following:

''and include regional statistics of job creation''

SA 3330. Mr. REID proposed an amendment to amendment SA 3329 proposed by Mr. REID to the bill H.R. 1299, to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; as follows:

At the end, insert the following:

''including specific data on the types of jobs created''.

SA 3331. Mr. REID proposed an amendment to the bill H.R. 3961, to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended by striking ''February 28, 2010'' and inserting ''February 28, 2011''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3742; 50 U.S.C. 1801 note) is amended by striking ''February 28, 2010'' and inserting ''February 28, 2011''.

SA 3332. Mr. REID proposed an amendment to the bill H.R. 3961, to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration; as follows:

Amend the title so as to read: ''An Act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011.''.

NOTICE OF INTENT TO SUSPEND THE RULES

Mr. DEMINT. Mr. President, I submit the following notice in writing: In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XXII, Paragraph 2, for the purpose of proposing and considering the following amendment to H.R. 1299, including germaneness requirements:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN CERTAIN AREAS.

(a) IN GENERAL.—Notwithstanding the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906'') (16 U.S.C. 431 et seq.), or any other provision of law, no further extension or establishment of national monuments in areas described in subsection (b) may be undertaken.

(b) APPLICABLE AREAS.—Subsection (a) shall apply to—

(1) the Northwest Sonoran Desert, Arizona;

(2) the Berryessa Snow Mountains, California;

(3) the Bodie Hills, California;

(4) the expansion of the Cascade-Siskiyou National Monument, California;

(5) the Modoc Plateau, California;

(6) the Vermillion Basin, Colorado;

(7) the Northern Montana Prairie, Montana;

(8) the Heart of the Great Basin, Nevada;

(9) the Lesser Prairie Chicken Preserve, New Mexico;

(10) the Otero Mesa, New Mexico;

(11) the Owyhee Desert, Oregon and Nevada;

(12) the Cedar Mesa region, Utah;

(13) the San Rafael Swell, Utah; and

(14) the San Juan Islands, Washington.

NOTICE OF HEARING

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests.

The hearing will be held on Wednesday, March 10, 2010, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 2895, 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; S. 2907, to establish a coordinated avalanche protection program, and for other purposes; S. 2966 and H.R. 4474, to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes; and S. 2791 and H.R. 3759, to authorize the Secretary of the Interior to grant economy-related contract extensions of a certain timber contracts between the Secretary of the Interior and timber purchasers, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510–6150, or by email to allison_seyferth@energy.senate.gov.

For further information, please contact Scott Miller at (202) 224–5488 or Allison Seyferth at (202) 224–4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 24, 2010, at 9:30 a.m.

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

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 24, 2010, at 2:30 p.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on February 24, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND THE SUBCOMMITTEE ON WATER AND WILDLIFE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Water and Wildlife be authorized to meet during the session of the Senate on February 24 at 9:30 a.m., in room 406 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''A Stronger Workforce Investment System for a Stronger Economy'' on February 24, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. 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 February 24, 2010, at 10:30 a.m. to conduct to hearing entitled ''The Homeland Security Department's Budget Submission for Fiscal Year 2011.''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 24, 2010, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 24, 2010, at 2:30 p.m., to hold a hearing entitled ''Foreign Policy Priorities in the FY11 International Affairs Budget.''

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

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate, on February 24, 2010, at 9 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''In Our Own Backyard: Child Prostitution and Sex Trafficking in the United States.''

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

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 24, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

NATIONAL GUARD YOUTH CHALLENGE DAY

Mr. DURBIN. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 421, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 421) supporting the goals and ideals of ''National Guard Youth Challenge Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 421) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 421

Whereas ''National Guard Youth Challenge Day'' will be celebrated on February 24, 2010;

Whereas high school dropouts need guidance, encouragement, and avenues toward self-sufficiency and success;

Whereas over 1,300,000 students drop out of high school each year, costing this Nation more than $335,000,000,000 in lost wages, revenues, and productivity over the lifetimes of these individuals;

Whereas the life expectancy for a high school dropout is 9 years less than that of a high school graduate, and a high school dropout can expect to earn about $19,000 each year, compared to approximately $28,000 for a high school graduate;

Whereas 54 percent of high school dropouts were jobless during an average month in 2008, with 40 percent having no job for the entire year;

Whereas each annual class of high school dropouts cost this Nation over $17,000,000,000 in publicly subsidized health care over the course of their lives;

Whereas approximately 90 percent of individuals in prisons throughout the United States are high school dropouts;

Whereas the goal of the National Guard Youth Foundation, a non-profit 501(c)(3) organization, is to improve the education, life skills, and employment potential of high school dropouts in the United States through public awareness, scholarships, higher education assistance, and job development programs;

Whereas the National Guard Youth Challenge Program provides military-based training, supervised work experience, assistance in obtaining a high school diploma or equivalent degree, and development of leadership qualities, as well as promotion of citizenship, fellowship, service to their community, life skills training, health and physical education, positive relationships with adults and peers, and career planning;

Whereas the National Guard Youth Challenge Program represents a successful joint effort between States and the Federal Government;

Whereas since 1993, the National Guard Youth Challenge Program has developed 32 programs in 27 States and Puerto Rico;

Whereas since 1993, over 92,850 young individuals have successfully graduated from the program, with 80 percent earning their high school diploma or GED certificate, 24 percent going to college, 18 percent joining the military, and 57 percent entering the workforce with career jobs;

Whereas the National Guard Youth Challenge Program has successfully helped high school dropouts in this Nation; and

Whereas the National Guard Youth Challenge Program can play a larger role in providing assistance to the youth of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of ''National Guard Youth Challenge Day''; and

(2) calls upon the people of the United States to observe ''National Guard Youth Challenge Day'' on February 24, 2010, with appropriate ceremonies and respect.

ORDERS FOR THURSDAY, FEBRUARY 25, 2009

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today it adjourn until 10 a.m. on Thursday, February 25; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the House message with respect to H.R. 1299.

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

PROGRAM

Mr. DURBIN. Mr. President, tomorrow several Senators will be participating in the bipartisan, bicameral health care summit with President Barack Obama. I am honored to be one of those Senators. As a result, though, there will be no rollcall votes prior to 4 p.m. tomorrow. We will continue to work on an agreement to consider the 30-day tax extenders legislation, which I just referred to in an earlier statement.

As a reminder, Senator REID also filed cloture on the motion to concur with respect to H.R. 1299, which is the legislative vehicle for the Travel Promotion Act. We hope to reach an agreement to have that vote tomorrow.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Executive Order No. 13531, appointments of the following to the National Commission on Fiscal Responsibility and Reform: the Honorable RICHARD J. DURBIN of Illinois, the Honorable MAX BAUCUS of Montana, the Honorable KENT CONRAD of North Dakota.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Thursday, February 25, 2010, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

ROBERT NEIL CHATIGNY, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE GUIDO CALABRESI, RETIRED.

GOODWIN LIU, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE A NEW POSITION CREATED BY PUBLIC LAW 110–177, APPROVED JANUARY 7, 2008.

WILLIAM JOSEPH MARTINEZ, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE EDWARD W. NOTTINGHAM, RESIGNED.

GARY SCOTT FEINERMAN, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE ROBERT W. GETTLEMAN, RETIRED.

SHARON JOHNSON COLEMAN, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE MARK R. FILIP, RESIGNED.

DEPARTMENT OF JUSTICE

WIFREDO A. FERRER, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE R. ALEXANDER ACOSTA.

LAURA E. DUFFY, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF

CALIFORNIA FOR A TERM OF FOUR YEARS, VICE CAROL CHIEN-HUA LAM.

ALICIA ANNE GARRIDO LIMTIACO, OF GUAM, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF GUAM AND CONCURRENTLY UNITED STATES ATTORNEY FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS FOR THE TERM OF FOUR YEARS, VICE LEONARDO M. RAPADAS.

JOHN B. STEVENS, JR., OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE REBECCA A. GREGORY.

JOHN DALE FOSTER, OF WEST VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE JAMES DUANE DAWSON.

GARY MICHAEL GASKINS, OF WEST VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE J. C. RAFFETY, RESIGNED.

PAUL WARD, OF NORTH DAKOTA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NORTH DAKOTA FOR THE TERM OF FOUR YEARS, VICE DAVID SCOTT CARPENTER.

FOREIGN SERVICE

THE FOLLOWING NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

AGENCY FOR INTERNATIONAL DEVELOPMENT

ROBIN J. BRINKLEY HADDEN, OF MARYLAND
SHARON THAMS CARTER, OF FLORIDA
HAVEN G. CRUZ-HUBBARD, OF CALIFORNIA
MARY PAMELA FOSTER, OF MARYLAND
BRUCE GELBAND, OF VIRGINIA
MIKAELA SAWTELLE MEREDITH, OF VIRGINIA
LESLIE ANN PERRY, OF COLORADO
ROY PLUCKNETT, OF VIRGINIA
GARY ROBBINS, OF COLORADO
SARAH WRIGHT, OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF STATE

JOSEPH AMBROSE KENNY, JR., OF MARYLAND
ERIC KHANT, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

AGENCY FOR INTERNATIONAL DEVELOPMENT

CANDACE HARRING BUZZARD, OF WASHINGTON
JOHN JOSEPH CARDENAS, OF CALIFORNIA
HOLLY FLUTY DEMPSEY, OF WEST VIRGINIA
PETER WILLIAM DUFFY, OF MASSACHUSETTS
MUSTAPHA EL HAMZAOUI, OF NEW HAMPSHIRE
REBEKAH R. EUBANKS, OF ILLINOIS
CHRISTIAN WILLIAM HOUGEN, OF VIRGINIA
SHERI-NOUANE BERNADETTE JOHNSON, OF NEW YORK
JONATHAN T. KAMIN, OF MARYLAND
KARIN A. KOLSTROM, OF FLORIDA
WILLIAM C. MACLAREN, OF VIRGINIA
VEENA REDDY, OF CALIFORNIA

DEPARTMENT OF STATE

DANIEL G. BROWN, OF MISSOURI
KEVIN A. WEISHAR, OF MISSOURI

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

AGENCY FOR INTERNATIONAL DEVELOPMENT

RANDOLPH HENRI AUGUSTIN, OF GEORGIA
SHIRLEY L. BALDWIN, OF VIRGINIA
MICHELLE M. BARRETT, OF MICHIGAN
JAMES A. BERSCHEIT, OF WYOMING
DAVID M. BOGRAN SCHREWE, OF TEXAS
AARON S. BROWNELL, OF TEXAS
LESLIE-ANN A. BURNETTE, OF CALIFORNIA
MATTHEW ANDREW BURTON, OF NEW HAMPSHIRE
TAMIKA CAMERON, OF TEXAS
STANLEY A. CANTON, OF MARYLAND
JAMES CHRISTOPHER CARLSON, OF COLORADO
CHRISTINA EVE CHAPPELL, OF PENNSYLVANIA
RANDY CHESTER, OF NEVADA
BLAKE A. CHRYSTAL, OF OREGON
MARY R. COBB, OF OHIO
BARRY COLLINS, OF NEW HAMPSHIRE
ANANTA HANS COOK, OF CALIFORNIA
BRADLEY CRONK, OF FLORIDA
WALTER DOETSCH, OF TEXAS
MYRA YUMIKO EMATA-STOKES, OF CALIFORNIA
LALARUKH FAIZ, OF VIRGINIA
STEPHEN FITZPATRICK, OF NEW HAMPSHIRE
KARLA INEZ FOSSAND, OF MINNESOTA
MELISSA M. FRANCIS, OF FLORIDA
STEPHANIE JAMES GARVEY, OF TEXAS
MICHAEL GLEES, OF CALIFORNIA
GARRET JOHN HARRIES, OF MINNESOTA
ANGELA DAWN HOGG, OF CALIFORNIA
HUSSAIN WAHEED IMAM, OF VIRGINIA
CORY B. JOHNSTON, OF MAINE
TAISHA MUMTAZI JONES, OF THE DISTRICT OF COLUMBIA
MICHAEL G. JUNGE, OF WASHINGTON
KAREN D. KLIMOWSKI, OF CALIFORNIA
PATRICK J. KOLLARS, OF SOUTH DAKOTA
THOMAS J. KRESS, OF NEW YORK
RONALD JAY KRYK, OF TEXAS
CHRISTOPHER JAMES LA FARGUE, OF LOUISIANA
PHILIP LAMADE, OF MISSOURI
DWAINE ERIQ LEE, OF CALIFORNIA
ALYSSA WILSON LEGGOE, OF NEW JERSEY
JESSE ADAM LEGGOE, OF NEW JERSEY
GINGER EDWARDS LONGWORTH, OF SOUTH CAROLINA
LESLIE MARBURY, OF GEORGIA
BRUCE FREEMAN MCFARLAND, OF WASHINGTON
ANDREW MCKIM, OF CALIFORNIA
AMY B. MEYER, OF CALIFORNIA
A. AURELIA MICKO, OF FLORIDA
TRACY JEANNE MILLER, OF OREGON
KERRY MONAGHAN, OF TEXAS
DIANE B. MOORE, OF NEW YORK
MONIQUE MOSOLF, OF FLORIDA
JUNIPER M. NEILL, OF ALASKA
CHRISTOPHER D. O'DONNELL, OF FLORIDA
MIRIAM ONIVOGUI, OF GEORGIA
SEAN JOSEPH OSNER, OF TEXAS
GEOFFREY BROOKS PARISH, OF TEXAS
JONATHAN CLAYTON RICHTER, OF FLORIDA
MICHAEL ALLAN RONNING, OF MINNESOTA
MICHELE A. RUSSELL, OF VIRGINIA
CARL ANDREW SEAGRAVE, OF THE DISTRICT OF COLUMBIA
LORRAINE SHERMAN, OF FLORIDA
CYBILL SIGLER, OF TEXAS
ROBERT J. SIMMONS, OF THE DISTRICT OF COLUMBIA
R. CHRISTIAN SMITH, OF NEVADA
POONAM SMITH-SREEN, OF FLORIDA
FRANCISCO RICARDO SOMARRIBA, OF FLORIDA
SANDRA ANNA STAJKA, OF VIRGINIA
JENNIFER J. TIKKA, OF WASHINGTON
DOANH Q. VAN, OF WASHINGTON
CAROLL L. VASQUEZ, OF VIRGINIA
JORGE E. VELASCO, OF MARYLAND
STEPHANIE ANN WILCOCK, OF WASHINGTON
GEORGE ZARYCKY, OF VIRGINIA

DEPARTMENT OF STATE

ANTHONY P. KUJAWA, OF MARYLAND
KRISTI J. MIETZNER, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

DEPARTMENT OF STATE

JEFFREY R. ALLEN, OF THE DISTRICT OF COLUMBIA
TODD ANDERSON, OF KENTUCKY
JAMES D. APPLEGATE, OF MICHIGAN
MAHA ANGELINA ARMUSH, OF TEXAS
CHUKA ASIKE, OF TEXAS
WILLIAM D. BAKER, OF TEXAS
RICHARD C. BLACKWOOD, OF VIRGINIA
STEPHANIE ELIZABETH BOSCAINO, OF TEXAS
THOMAS S. BROWN, OF WASHINGTON
CHRISTIENNE CARROLL, OF CALIFORNIA
JEFFREY JOHN CARY, OF THE DISTRICT OF COLUMBIA
MICHAEL G. CATHEY, OF CALIFORNIA
PERRY YANG CHEN, OF VIRGINIA
CHRISTINA M. CHESHIER, OF ARIZONA
MARTHA ANN CRUNKLETON, OF FLORIDA
CHRISTOPHER P. CURRAN, OF NEW HAMPSHIRE
ROBERTO CUSTODIO, OF FLORIDA
GREGORY D'ALESANDRO, OF MARYLAND
JOYE L. DAVIS-KIRCHNER, OF MISSOURI
ANNE B. DEBEVOISE, OF CALIFORNIA
JAFFAR A. DIAB, OF MASSACHUSETTS
CHRISTOPHER R. DILWORTH, OF VIRGINIA
DAVID JOSEPH DRINKARD, OF MISSOURI
MARIALICE BURFORD EPERIAM, OF ILLINOIS
JASON D. EVANS, OF WASHINGTON
KATHLEEN FOX, OF CALIFORNIA
KATHEY-LEE GALVIN, OF OREGON
COREY MATTHEW GONZALEZ, OF THE DISTRICT OF COLUMBIA
GRANT S. GUTHRIE, OF CALIFORNIA
ANAIDA K. HAAS, OF ALASKA
ADAM J. HANTMAN, OF MARYLAND
SARA RUTH HARRIGER, OF ALASKA
JAMES HOLTSNIDER, OF IOWA
AARON D. HONN, OF TEXAS
LUDOVIC L. HOOD, OF THE DISTRICT OF COLUMBIA
ERIKA LOREL HOSKING, OF VIRGINIA
CHARLES L. JARRETT III, OF TENNESSEE
HORMAZD J. KANGA, OF KENTUCKY
DAVID KRISTIAN KVOLS, OF FLORIDA
FELICIA D. LYNCH, OF FLORIDA
MIKA MCBRIDE, OF TEXAS
MATTHEW C. MCNEIL, OF VIRGINIA
KAREN N. MIMS, OF PENNSYLVANIA
JUDITH H. MONSON, OF NEW YORK
ROSHNI MONA NIRODY, OF ALASKA
SHEILA SOPHIA O'DONNELL, OF ILLINOIS
JUAN CARLOS OSPINA, OF FLORIDA
BENJAMIN NELSON REAMES, OF TEXAS
CHARLES WILSON RUARK III, OF GEORGIA
SARAH A. SCHMIDT, OF MAINE
HEIDI E. SMITH, OF MICHIGAN
MARC ALAN SNIDER, OF ILLINOIS
VIRGIL B. STROHMEYER, OF CALIFORNIA
ADRIENNE BECK TAYLOR, OF VIRGINIA
REBECCA S. PHELPS THURMOND, OF MICHIGAN
ANDRES VALDES, OF FLORIDA
SOVANDARA YIN, OF OREGON
MADELINA M. YOUNG, OF FLORIDA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

VINCE H. SUNEJA, OF VIRGINIA

DEPARTMENT OF STATE

KRISTEN E. AANSTOOS, OF MISSISSIPPI
KATHLEEN ELIZABETH ABNER, OF MARYLAND
HATIM NELSON AHMED, OF VIRGINIA
ZIA AHMED, OF MASSACHUSETTS
ANDREW R. ALBERTS, OF VIRGINIA
SYED MUJTABA ANDRABI, OF WASHINGTON
ALISON MARIE ASHWELL, OF VIRGINIA
MARK DAVID AUBRECHT, OF WASHINGTON
MICHELLE E. AZEVEDO, OF THE DISTRICT OF COLUMBIA
JARI D. BARNETT, OF OKLAHOMA
JACOB BARRETT, OF VIRGINIA
JONATHAN M. BARROW, OF MARYLAND
CARRIE LYNN BASNIGHT, OF KENTUCKY
AMANDA K. BECK, OF CALIFORNIA
MICHELLE NICOLE BENNETT, OF CALIFORNIA
ANDREW BERDY, OF NEW JERSEY
DUSTIN REEVE BICKEL, OF GEORGIA
ASHWIN E. BIJANKI, OF VIRGINIA
NATALIE IRENE BONJOC, OF CALIFORNIA
STEVEN R. BONSALL, OF VIRGINIA
KATHLEEN E. BORGESS, OF VIRGINIA
ARIELA BORGIA, OF VIRGINIA
MICHAEL D. BOVEN, OF MICHIGAN
BENJAMIN KIRK BOWMAN, OF COLORADO
RYAN G. BRADEEN, OF MAINE
DIEDRE T. BRADSHAW, OF VIRGINIA
KATIE C. BRASIC, OF VIRGINIA
STEVEN ARTHUR CONNETT BREMNER, OF MINNESOTA
MARY K. BREZIN, OF COLORADO
MATTHEW MCMAHON BRIGGS, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER M. BRITTON, OF MARYLAND
SARAH A. BUDDS, OF SOUTH CAROLINA
EVAN J. BURNS, OF PENNSYLVANIA
JOHN PATRICK CALLAN, OF WASHINGTON
JOSEPH CHRISTOPHER CARNES, OF OHIO
MELANIE ROSE CARTER, OF ILLINOIS
CHRISTOPHER P. CASAS, OF VIRGINIA
CHRIS M. CELESTINO, OF THE DISTRICT OF COLUMBIA
BRIAN M. CHARMATZ, OF MARYLAND
CHRISTOPHER A. CHAUNCEY, OF VIRGINIA
DAVID R. CHEE, OF VIRGINIA
GEOFFREY KAMEN CHOY, OF VIRGINIA
MARJORIE CHRISTIAN, OF VIRGINIA
HEATHER L. CHURCHILL, OF VIRGINIA
MELANIE L. CLARK, OF VIRGINIA
AMY LAURENCE CONROY, OF THE DISTRICT OF COLUMBIA
JASON A. COOK, OF VIRGINIA
WILLIAM R. COOK, OF CALIFORNIA
WILLIAM T. COOMBS, OF MARYLAND
EMILIO CORTES, OF VIRGINIA
GREGORY ROY COWAN, OF TEXAS
CHRISTEN LANE DECKER, OF NEW HAMPSHIRE
JONATHAN MORRIS DENNEHY, OF MASSACHUSETTS
PHILLIP ANTHONY DE SOUZA, OF MARYLAND
JILL WISNIEWSKI DIETRICH, OF THE DISTRICT OF COLUMBIA
JULIA SAMPSON DILLARD, OF CALIFORNIA
NOAH A. DONADIEU, OF PENNSYLVANIA
MELISSA ANN DORSEY, OF ILLINOIS
JAMES E. DUCKETT, OF VIRGINIA
RUTH LILLIAN DOWE, OF NEW YORK
WILLIAM ECHOLS, OF WASHINGTON
JESSICA D. EICHER, OF COLORADO
JEFFREY GORDON ELSEN, OF WISCONSIN
HOWARD E. ENNACO, OF VIRGINIA
RONALD L. ETTER, OF VIRGINIA
KATHRYN LINDSAY FISHER, OF VIRGINIA
HOWARD A. FREY, OF VIRGINIA
MARC BRANDON GARTNER, OF CALIFORNIA
CASEY THOMAS GETZ, OF VIRGINIA
RICHARD D. GOPAUL, OF MARYLAND
MARK OSTAPOVYCH GUL, OF VIRGINIA
AMANDA GUNTON, OF NEW YORK
JAMES J. HAMBLIN, OF VIRGINIA
ZENNIA D. HANCOCK, OF NEW YORK
CHRISTINE L. HARPER, OF ALABAMA
TARA L. HARRISON, OF UTAH
JENNIFER M. HEATH, OF VIRGINIA
ANNALIESE J. HEILIGENSTEIN, OF TEXAS
LAURA HEIMANN, OF VIRGINIA
JAMES MICHAEL HENRY, OF MASSACHUSETTS
BENJAMIN E. HETTINGA, OF VIRGINIA
MICHAEL D. HIGHT, OF VIRGINIA
SIRLI HILL, OF VIRGINIA
DUANE MARTIN HILLEGAS, OF MARYLAND
THOMAS MARTIN HOCHSTETLER, OF VIRGINIA
ELLEN M. HOFFMAN, OF VIRGINIA
JENNIFER HOLMES, OF UTAH
JACQUELINE PHILYAW HOSKINS, OF VIRGINIA
MARGO MARIE HUENNEKENS, OF CALIFORNIA
CHRISTIAN BRIAN HUMMEL, OF VIRGINIA
WILLIAM HUNT, JR., OF MARYLAND
CASEY IORG, OF CALIFORNIA
JENNIFER J. ISAKOFF, OF VIRGINIA
CHARLES L. JEWELL, JR., OF VIRGINIA
MICHAEL D. JOHNSTONE, OF VIRGINIA
ALEX JONES, OF WISCONSIN
JOHN BOYCE JONES, OF VIRGINIA
LEON V. JONES II, OF VIRGINIA
LISA KALAJIAN, OF NEW JERSEY
MARJON E. KAMRANI, OF OHIO
JI HONG KANG, OF VIRGINIA
KATHERINE A. KEEGAN, OF VIRGINIA
KATHRYN KANE KEELEY, OF THE DISTRICT OF COLUMBIA
ALISHIA KONTOR, OF VIRGINIA
MARC N. KROEPER, OF VIRGINIA
KLAUDIA G. KRUEGER, OF FLORIDA
CORINNE M. KUHAR, OF VIRGINIA
TAMMY L. LAKE, OF FLORIDA
KRISTINA LAW, OF VIRGINIA
PUI-YUNG LAW, OF VIRGINIA
MICHAEL A. LEON, OF VIRGINIA

STEVEN HOWARD LERDA, OF VIRGINIA
JOHN T. LEWIS, OF VIRGINIA
PIERRE ANTOINE LOUIS, OF FLORIDA
MIKE LURIE, OF VIRGINIA
MATTHEW K. MAGGARD, OF VIRGINIA
ANDREW J. MALANDRINO, OF VIRGINIA
JEFFREY M. MARTIN, OF RHODE ISLAND
LEONARD FREDERICK MARTIN, OF MARYLAND
TRACY L. MASUDA, OF VIRGINIA
BILLY F. MCALLISTER, JR., OF VIRGINIA
BRADLEY THOMAS MCGUIRE, OF VIRGINIA
WILLIAM H. MCHENRY II, OF VIRGINIA
CHARLOTTE I. MCWILLIAMS, OF TEXAS
CANDICE R. MEANS, OF VIRGINIA
HENRY WYATT MEASELLS IV, OF VIRGINIA
MICHAEL A. MIDDLETON, OF VIRGINIA
AMY J. MILLS, OF VIRGINIA
KYLE G. MILLS, OF VIRGINIA
ERIC K. MONTAGUE, OF VIRGINIA
GRANT HANLEY MORROW, OF PENNSYLVANIA
DAVID JEFFREY MOURITSEN, OF UTAH
PETER D. MUCHA, OF VIRGINIA
AMY P. MULLIN, OF VIRGINIA
PAUL W. NEVILLE, OF THE DISTRICT OF COLUMBIA
ALBERT FRANCISCO OFRECIO, OF CALIFORNIA
JUNG OH, OF VIRGINIA
STEPHANIE NICOLE PADGETT, OF VIRGINIA
BENJAMIN PARSELL, OF THE DISTRICT OF COLUMBIA
VIKAS C. PARUCHURI, OF PENNSYLVANIA
MICHAEL PENNELL, OF TENNESSEE
SEVERIN J. PEREZ, OF VIRGINIA
ROBERT A. PERLS, OF NEW MEXICO
ANDREA LYN PETERSON, OF THE DISTRICT OF COLUMBIA
CHARLES SAUNDERS PORT, OF VIRGINIA
KERRI R. PROVENCIO, OF VIRGINIA
MICHAEL JOSEPH PRYOR, OF CALIFORNIA
MICHAEL G. RAMSEY, OF VIRGINIA
CHARLES ANTHONY RAYMOND, OF VIRGINIA
AMY NICOLE REICHERT, OF COLORADO
ANTHONY S. RIDGEWAY, OF VIRGINIA
EDWARD LEWIS ROBINSON III, OF MARYLAND
SETH R. ROGERS, OF SOUTH CAROLINA
JARED D. ROSS, OF MARYLAND
ALISON ROTH, OF VIRGINIA
CRAIG ANTHONY RYCHEL, OF THE DISTRICT OF COLUMBIA
ANNE G. SAUNDERS, OF VIRGINIA
TAMARA L. SCOTT, OF MARYLAND
TIMOTHY JAMES SCOVIN, OF THE DISTRICT OF COLUMBIA
ELIZABETH SELLEN, OF THE DISTRICT OF COLUMBIA
MICHAEL R. SHAW, OF VIRGINIA
ROGER LANIER SHIELDS, OF VIRGINIA
CRAIG M. SINGLETON, OF FLORIDA
THOMAS MICHAEL SLAYTON, OF THE DISTRICT OF COLUMBIA
JOHN THOMAS WOODRUFF SLOVER, OF COLORADO
PAULETTE C. SMALL, OF NORTH CAROLINA
BARRY DANIEL SMITH, OF OREGON
DON J. SMITH, OF VIRGINIA
JASON A. SMITH, OF VIRGINIA
SCOTT M. SMITH, OF VIRGINIA
WILLIAM CATLETT SOLLEY, OF VIRGINIA
MICHELLE SOSA, OF CALIFORNIA
JUDITH C. SPANBERGER, OF MARYLAND
KENNETH STURROCK, OF FLORIDA
RUDRANATH SUDAMA, OF MARYLAND
JANEL LYNN SUTTON, OF COLORADO
PETER J. SWEENEY, OF NEW JERSEY
DREW TANZMAN, OF CALIFORNIA
ALPER A. TUNCA, OF THE DISTRICT OF COLUMBIA
TOMMY VARGAS, OF VIRGINIA
GARETH JOHN VAUGHAN, OF THE DISTRICT OF COLUMBIA
ERIC VELA, OF VIRGINIA
CHRISTOPHER VOLPICELLI, OF VIRGINIA
JOHN PHILIPS WATERMAN, OF MASSACHUSETTS
MARK A. WILKINS, OF VIRGINIA
CHRISTAL G. WINFORD, OF VIRGINIA
JOANNA K. WOJCIK, OF VIRGINIA
HSUEH-TING WU, OF CALIFORNIA
HEATHER LOUISE YORKSTON, OF MARYLAND

NATIONAL BOARD FOR EDUCATION SCIENCES

ADAM GAMORAN, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2011, VICE RICHARD JAMES MILGRAM, TERM EXPIRED.

DEBORAH LOEWENBERG BALL, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2012, VICE CAROLINE M. HOXBY, TERM EXPIRED.

DEPARTMENT OF EDUCATION

EDUARDO M. OCHOA, OF CALIFORNIA, TO BE ASSISTANT SECRETARY FOR POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION, VICE DIANE AUER JONES, RESIGNED.

NATIONAL BOARD FOR EDUCATION SCIENCES

MARGARET R. MCLEOD, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2012, VICE ELIZABETH ANN BRYAN, TERM EXPIRED.

BRIDGET TERRY LONG, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2012, VICE JOSEPH K. TORGESEN, TERM EXPIRED.

CONGRESS OF THE UNITED STATES

STEPHEN T. AYERS, OF MARYLAND, TO BE ARCHITECT OF THE CAPITOL FOR THE TERM OF TEN YEARS, VICE ALAN M. HANTMAN, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICERS IN THE UNITED STATES COAST GUARD IN THE GRADES INDICATED UNDER TITLE 14, U.S. CODE, SECTION 211:

To be lieutenant commander

JOANN F. BURDIAN
KELLY K. DENNING

To be lieutenant

TORREY H. BERTHEAU
LAUREN U. FULLAM
KENNETH R. MORTON
DAWN N. PREBULA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JAMES D. THURMAN

THE FOLLOWING NAMED UNITED STATES ARMY RESERVE OFFICER FOR APPOINTMENT AS THE CHIEF, ARMY RESERVE AND APPOINTMENT TO THE GRADE INDICATED UNDER PROVISIONS OF TITLE 10, U.S.C., SECTIONS 3038 AND 601:

To be lieutenant general

LT. GEN. JACK C. STULTZ, JR.

EXTENSIONS OF REMARKS

HONORING MR. PAUL FOREMAN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to the people of Chautauqua County by Mr. Paul Foreman. Mr. Foreman served his constituency faithfully and justly during his tenure as the Town of Dunkirk Highway Superintendent.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. Foreman served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. Foreman is one of those people and that is why Madam Speaker I rise to pay tribute to him today.

RECOGNIZING THE PASSING OF VIRGIL MILLER

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Mr. Virgil White Miller, who passed away on February 20, 2010 at the age of 68. Virgil spent his life serving his country, his community, his family, and his church, and I am honored to recognize his life of dedication and service.

A native of Texas, Virgil Miller graduated from Texas A&M University with a Bachelor of Science in Mechanical Engineering in 1964. In college, Virgil met his wife, Kathryn Rogers, and he served in the Corps of Cadets. Upon graduation, he received a commission in the United States Air Force and moved to Fort Walton Beach, Florida. Virgil worked as a Mechanical Engineer for the Air Force Armament Laboratory at Eglin Air Force Base. He and his wife loved Northwest Florida so much that they decided to stay, and Virgil began his 32 year career as a civil servant with the Air Force Research Laboratory, retiring in 2000.

In addition to his service to our country, Virgil was an active member of our Northwest Florida community. A dedicated member of Fort Walton Beach First Baptist Church, he taught Sunday School, church training, Royal Ambassadors, and was a deacon, serving as chairman of deacons for two terms. Virgil also participated in disaster relief efforts with the Florida Baptist Convention on numerous occasions. In 2007, Virgil was elected to the Fort Walton Beach City Council, where he served faithfully until his passing.

Madam Speaker, on behalf of the United States Congress, I am humbled to recognize Virgil Miller as a veteran, public servant, community volunteer, and loving father and husband. My wife Vicki and I offer our prayers for his entire family, including his wife, Kathy, his children, Michelle, Kristyn, and Randy, his grandchildren, and entire extended family as we remember and honor the life of Virgil Miller. He will be truly missed by all of us.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES ON RELIGIOUS MINORITIES IN IRAQ

SPEECH OF

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. WOLF. Madam Speaker, I rise in support of H. Res. 944 and thank the Chair and Ranking Member for their efforts to bring this to the floor for consideration at such a pivotal time in Iraq.

A February 6 ABC News story opened with the following observation: ''Across the Middle East, where Christianity was born and its followers once made up a sizable portion of the population, Christians are now tiny minorities.''

This is perhaps no more true than in Iraq. With the exception of Israel, the Bible contains more references to the cities, regions and nations of ancient Iraq than any other country. The patriarch Abraham came from a city in Iraq called Ur. Isaac's bride, Rebekah, came from northwest Iraq. Jacob spent 20 years in Iraq and his sons (the 12 tribes of Israel) were born in northwest Iraq. A remarkable spiritual revival as told in the book of Jonah occurred in Nineveh. The events of the book of Esther took place in Iraq as did the account of Daniel in the Lion's Den.

Tragically Iraq's ancient Christian community is facing extinction. The U.N. High Commission for Refugees estimates that some 250,000 to 500,000 Christians have left the country since 2003, or about half the Christian population. According to the bipartisan U.S. Commission on International Religious Freedom (USCIRF), ''while Christians and other religious minorities represented only approximately 3 percent of the pre-2003 Iraqi population, they constitute approximately 15 and 20 percent of registered Iraqi refugees in Jordan and Syria, respectively, and Christians account for 35 and 64 percent, respectively, of all registered Iraqi refugees in Lebanon and Turkey.''

It is critical to note, as the figures above indicate, that the violence and intimidation that Iraq's Christians and other vulnerable ethno-religious communities have faced is targeted. In July 2008, the U.S. Conference of Catholic Bishops Migration & Refugee Services said this about the minority religious communities: ''These groups, whose home has been what is now Iraq for many centuries, are literally being obliterated—not because they are fleeing generalized violence but because they are being specifically and viciously victimized by Islamic extremists and, in some cases, common criminals.''

Reports indicate that since 2003, more than 200 Christians have been killed in Iraq, and since June 2004, 65 churches have been attacked or bombed. The situation facing these minority communities is not improving. In fact there has been a recent uptick in violence in the lead up to the elections in Iraq. A Reuters story last week reported that, ''With Iraq's March 7 parliamentary vote looming, a spike in attacks against Christians could be a sign of voter intimidation by factions in the bitter Kurd-Arab dispute, or another attempt by al Qaeda to derail the election.''

I have appreciated Ambassador Chris Hill's commitment to this issue. In recent correspondence he indicated that ''the security of the Christian community remains one of my paramount concerns, especially in light of attacks directed at Christian churches in Baghdad and Mosul over the past five months.''

But there needs to be leadership from the highest levels within the State Department as well. I have long advocated, both during the previous administration and in the current administration, that the U.S. needs to adopt a comprehensive policy to address the unique situation of these defenseless minorities. This resolution includes language urging the Secretary of State to develop just such a strategy.

It is time for this administration to start taking religious freedom seriously. The position of U.S. ambassador for International Religious Freedom has been vacant for more than a year while other more junior posts have been filled. There's a saying in Washington that personnel is policy. When there isn't personnel, the policy inevitably suffers.

The ancient faith communities of Iraq and others enduring religious persecution worldwide deserve a voice. This resolution is a step in the right direction.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. SMITH of Washington. Madam Speaker, on Monday, February 22, 2010, I was unable to be present for recorded votes. Had I been present, I would have voted ''yes'' on rollcall vote No. 49 (on the motion to suspend the rules and pass H.R. 4425) and ''yes'' on rollcall vote No. 50 (on the motion to suspend the rules and pass H.R. 4238).

HONORING HUGH GOODWIN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to posthumously honor Hugh Goodwin upon being honored with the ''Trail Blazers Award'' by the African American Museum. Mr. Goodwin will be honored at the African American History Month Celebration and Banquet on Saturday, February 6th, 2010 in Fresno, California.

Mr. Hugh Wesley Goodwin, Sr. was born on May 6, 1921 to James and Anna Goodwin. He was the youngest of seven children. The family settled in Steelton, Pennsylvania where his father worked both as a steel worker and a Baptist minister. Mr. Goodwin served in the military during World War II. Upon his discharge he graduated from Harvard Law School and moved to California to practice law.

Mr. Goodwin was the first African American lawyer and judge in Fresno County. He opened his law practice in Fresno during the early 1950's. In 1957 Mr. Goodwin married Frances Jones. Together they raised four children; Hugh, Paul, Anna and Tom.

Over the next fifty years, Mr. Goodwin continuously advocated for disadvantaged people and challenged the racial boundaries at the time. Through his perseverance and advocacy, he earned a wide range of respect from his peers, as well as members of the community. Mr. Goodwin was very active in the community. He was a member of the Equal Opportunities Commission Legal Council and volunteered at the Fresno Rescue Mission. Mr. Goodwin served as President of the Fresno Black Caucus and President of the West Fresno Little League. After the little league games, Mr. Goodwin would take the scores and highlights to The Fresno Bee to be published in the paper the next day. He was a devout Christian; he attended Second Baptist Church and served many years as a deacon and a Sunday school teacher.

In 1976, Mr. Goodwin was appointed to the municipal court bench in Fresno County. While serving on the bench, he gained national attention when he sentenced convicted defendants to church rather than serving jail time or paying fines. Throughout the controversy, he remained committed to his beliefs. Mr. Goodwin returned to private practice in 1978 and remained practicing until 1996. Mr. Goodwin passed away in 2004.

Madam Speaker, I rise today to posthumously honor Hugh Goodwin. I invite my colleagues to join me in honoring his life and wishing the best for his family.

HONORING SUSANNE SCHOLZ OF LAKE COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Susanne Scholz on the occasion of her retirement as executive director of the Lake County Land Trust. Susanne is a tireless advocate for the environmental protection of Lake County who will be missed by everyone in the conservation community.

Mrs. Scholz grew up in Alberta, Canada and received her B.A. with honors in liberal arts from Sonoma State University. She was a founding member of the Lake County Land Trust in 1993 and became executive director in 2000. Mrs. Scholz is an accomplished writer as well; she is a popular local nature columnist who also authored an anthology of poems and short stories. Suzanne is an avid birder and a knowledgeable naturalist whose keen skills of observation have enhanced her connection to the land and ability to serve in her position.

Mrs. Scholz has not only dedicated her professional skills to the conservation movement but her personal time as well. She serves as the membership chair for Redbud Audubon Society and is a member of the Lake County Grading Ordinance Committee, Lake County Resource Advisory Committee for the Secure Rural Schools Program, and she is a former board member of the Anderson Marsh Interpretative Association.

Madam Speaker and colleagues, it is appropriate at this time that we thank Susanne Scholz for her years of dedication and service on behalf of Lake County. She has been an exceedingly intelligent, reliable and professional executive director of the Land Trust who oversaw a vast expansion of conservation in Lake County. I join her husband Jim in thanking Susanne and wishing her a lifetime of fulfillment.

RECOGNIZING MICHAEL VARNER AS THE ESCAMBIA COUNTY TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Mr. Michael Varner upon receiving the Escambia County, Florida Teacher of the Year Award. For thirty-five years, Mr. Varner has been an inspiration to his students, his colleagues, and his community, and I am honored to recognize his achievements.

After receiving his Bachelor of Science Education Degree and from the University of West Florida, Mr. Varner began his teaching career at J.M. Tate High School in 1975. For thirty-five years, Mr. Varner has been at the vanguard of teaching at Tate. He taught anatomy and physiology for eleven years, botany for ten years, and biology for thirty-five years. He has also worked as a Dual-Enrolled instructor with Pensacola Junior College for fourteen years. Since 2004, he has served as an adjunct professor at PJC. Mr. Varner is a member and a leader of the National Association of Biology Teachers (NABT) and the National Science Teachers Association (NSTA).

Mr. Varner has been widely recognized and honored for his years of teaching the students at Tate High School. He received the Tate Teacher of the Year Award in 1976, 1990, and 2010 and has been nominated twice for the Presidential Award for Excellence in Science and Mathematics Program. From 1998 to 2004, he was a top ten finalist for the NABT Outstanding Biology Teacher in Florida, and in 2005, Mr. Varner earned the NABT Florida Outstanding Biology Teacher Award.

Beyond the awards and the achievements, Mr. Varner is a top-notch teacher and a dedicated public servant. He goes above and beyond the call of duty to serve his students, utilizing real-world techniques to teach them concepts beyond the classroom. His students sign contracts, receive job orders, and earn paychecks for work completed. When the Tate administration was faced with canceling a dual-enrollment biology class because of low enrollment, Mr. Varner volunteered to sacrifice one of his planning periods to teach the class in spite of the cutback. His innovative methods of teaching have been adapted and utilized by dozens of other faculty members.

Mr. Varner's tremendous efforts extend well outside of his biology classroom. He served as the Senior Executive Board Advisor for nine years, teaching students to lead others and inspiring them to achieve success. He has also served as a scoutmaster, youth and music minister, and a volunteer for Habitat for Humanity and Relay for Life. Mr. Varner is also known as the voice of Tate's band, the Showband of the South, and is commonly viewed as the custodian of the cultural history of Tate High School.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize Michael Varner as the Escambia Teacher of the Year. He is a dedicated teacher, an inspiration to his students, and an honorable public servant. Vicki and I wish Mr. Varner, his wife Kathleen, and his sons, Jason and Brian, all the best for the future.

HONORING AMANDA PRUNTY, SAMANTHA O'ROURKE, CEDRIC WILSON, AND ALLISON MENDITTO FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge four students in my district, Amanda Prunty, Samantha O'Rourke, Cedric Wilson, and Allison Menditto, from Bay Shore High School.

These students will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the ''I Have a Dream'' speech delivered by Martin Luther King, Jr.

I am proud to honor Amanda, Samantha, Cedric, and Allison for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

HONORING WAYNE WERTS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. MICHAUD. Madam Speaker, I rise today to recognize the accomplishments of

Wayne Werts of Auburn, Maine on the occasion of his retirement.

Having served his community for 33 years as a firefighter and an Emergency Medical Technician (EMT), Wayne Werts exemplifies the dedication and perseverance that our country holds in the highest esteem. Wayne joined the Auburn Fire Department on May 2, 1977. As an EMT, Wayne further advanced himself through an Associate's Degree in Fire Science, and then through a Paramedic certification—credentials which helped lead to Wayne being named Auburn Fire Department Chief on March 22, 2001.

In addition to his accomplishments as an active firefighter and EMT, Wayne is a longstanding leader in his community. He served as President of the Auburn Firefighters Association for 6 years and is in his seventh year serving on the Maine Fire Chiefs' Association Board of Directors as the representative for Androscoggin County. For 12 years, he has been appointed by the Governor to serve on the Maine Emergency Medical Services (EMS) Board as the Municipal EMS Provider Representative. In addition, Wayne serves on the Task Force for the All Hazards Training Facilities Study. While Wayne's dedicated leadership will be missed, he leaves a legacy that has increased the effectiveness and strength of his community's safety departments as well as that of the entire State of Maine.

Madam Speaker, please join me in honoring Wayne Werts for his lifelong dedication and service to his community.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES ON RELIGIOUS MINORITIES IN IRAQ

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. CONYERS. Madam Speaker, today I rise in strong support of H. Res. 944, expressing the sense of the House of Representatives on religious minorities in Iraq. Today's resolution highlights the struggles of Iraqi minorities since the invasion of Iraq in 2003 and offers solutions for peaceful reconciliation for the Iraqi people.

Madam Speaker, Southeast Michigan has one of the largest Arab-American populations outside the Middle East. It is estimated that there are well over 300,000 in Michigan, many of whom are Iraqi-American and are concerned on the future of Iraq. Specifically, the bill calls on the United States and United Nations to urge the Iraqi government to provide religious minorities with safe places of worship, guarantee protection of religious minorities, and ensure legal and political rights of this vulnerable population. This is vital because many of the more than 2.7 million Iraqi refugees are religious minorities.

Today's resolution will compliment President Obama's commendable plan to withdraw from Iraq in the summer of 2011. While withdrawal will do much to stabilize and empower the sovereign nation of Iraq, it is also important that the United States do its part to actively assist the Iraqi people in establishing policies that protect the civil rights and liberties of all Iraqi citizens.

HONORING TIFFANI JONES FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a student in my district, Tiffani Jones, from Central Islip High School.

Tiffani will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, she wrote her own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Tiffani for her academic and personal achievements and congratulate her upon the receipt of this prestigious award.

CONGRESSIONAL RECOGNITION FOR THE TUCSON RODEO PARADE—"LA FIESTA DE LOS VAQUEROS"

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Ms. GIFFORDS. Madam Speaker, I rise today to recognize the Tucson Rodeo Parade which on Thursday celebrates its 85th anniversary. The Parade Grand Marshall is James "Big Jim" Griffith, beloved storyteller, musician, and folklorist and a Tucson tradition in his own right.

Known as "La Fiesta de los Vaqueros," the parade is a time-honored tradition for thousands of residents and visitors. It is a much-anticipated community event that reminds us of our past as a region shaped by the independence, drive, and determination of cowboys and cowgirls.

The Tucson Rodeo Parade first was held on Saturday, February 21, 1925. Arizona had been a State for only 13 years, and Tucson was still very much a rough and tumble community on the edge of the American frontier. My hometown and home State were very different places 85 years ago. All of Arizona back then had a population smaller than Tucson is today.

The inaugural Rodeo Parade rolled through downtown Tucson the same year the city purchased 1,280 acres on its cactus-studded outskirts for a municipal airport. This swath of desert would, in just a few short years, become the home of Davis-Monthan Air Force Base, one of our Nation's premier military installations.

Prizes for entrants in the first parade, long before air conditioning or the modern supermarket, included a 750-pound block of ice, 100 pounds of potatoes and a "Big Cactus" ham.

This colorful and exciting parade continues today as a kickoff for the Tucson Rodeo. The parade is a salute to southern Arizona's rich ranching history and our community's close ties with Mexico. With the nickname of "La Fiesta de los Vaqueros," the rodeo and the parade are a true "party of the cowboys."

The Tucson Rodeo Parade keeps alive the spirit of that first parade. It long has been known as "The Largest Non-Motorized Parade" in the country and achieves its success through strong community participation and the commitment of the Tucson Rodeo Parade Committee.

The Tucson Rodeo Parade has become such a cherished event that schoolchildren long have been given the day off so they can attend the festivities. In offices and work places all across Tucson jeans and cowboy boots are acceptable attire on parade day.

As a third generation southern Arizonan, I am proud to recognize the Tucson Rodeo Parade on its 85th anniversary and to commend the Tucson Rodeo Parade Committee for sustaining this wonderful tradition.

COMMENDING ROBERT BUSHELL

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. LANGEVIN. Madam Speaker, I rise today to commend Robert Bushell, who recently won national recognition from the Reading Recovery Council of North America. Mr. Bushell is currently the elementary education director in my home town of Warwick, Rhode Island.

Mr. Bushell has devoted more than 40 years to public education, including time as principal of Lippitt Elementary School. It was there that he began his involvement with the Reading Recovery program, a short-term program of one-on-one tutoring for first graders struggling with early reading and writing. When training locations for Reading Recovery closed in Rhode Island, Mr. Bushell fought to obtain funding for the construction of a Reading Recovery site in Warwick. Several different school districts in the State now use the Warwick facilities to train in the program.

In addition to securing funds to open up the Reading Recovery location, Mr. Bushell's efforts have paid off with the students themselves. After 20 weeks of 30–minute tutoring sessions with a trained teacher, these students are achieving higher scores on the NECAP (New England Common Assessment Program) and maintaining those scores for years afterwards.

Robert Bushell has richly earned the commendation that the Reading Recovery Council is bestowing upon him. Rhode Island has been lucky to have Mr. Bushell as an educator for over 40 years and to have his support on this educational program for 20 years as well.

Madam Speaker, I ask all my colleagues to join with me in congratulating Robert Bushell and wishing him continued success with the Reading Recovery Program in Rhode Island.

HONORING ARIANNA PANTIN AND JANAI CLARK FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge two students in my district, Arianna Pantin and Janai Clark, from Deer Park High School.

Arianna and Janai will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the ''I Have a Dream'' speech delivered by Martin Luther King, Jr.

I am proud to honor Arianna and Janai for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

HONORING THE LIFE OF MICHAEL RICHARD CODEL

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. MORAN of Virginia. Madam Speaker, I rise today to pay tribute to the life of Michael Richard Codel, longtime journalist, Democratic activist and former member of the Peace Corps, who passed away January 13, 2010. Mr. Codel was a resident of Arlington and neighbor and dear friend of my colleague, Representative MIKE PENCE. He was born in Baltimore on April 20, 1939. Prior to graduating from Oberlin with a degree in political science in 1960, he spent many hours at the campus radio station, WOBC Radio. Unbeknownst to him at the time, his hours spent at the WOBC would become a launching pad for the endeavors he would delve into for the duration of his life.

Mr. Codel lived a life that was nothing short of exciting. Following graduation, he worked as a copy boy at the Democratic National Presidential Convention, and shortly thereafter found a post at the Cincinnati Post for a year and a half as a desk reporter. In December of 1962 he traveled to Nigeria to teach English for his Peace Corps assignment. In June of 1963, he transferred to Radio Kaduna TV, where he produced educational TV programs, driving around on a moped with a cameraman and interviewing government officials. Mr. Codel returned to the States in 1964, and took a job as a desk assistant to Howard Cosell. Longing to return to Nigeria, he landed a job with the AP London office to return to Nigeria, where he was posted in the Congo, instead. For the next few years, Mr. Codel covered a number of coup d'etats in Africa up until 1967. In 1965, on a trip to Congo, Mr. Codel took a picture of a Congolese man rolling up his sleeves. Soon thereafter, this picture was used on all Congolese paper money. After he wrote an article that President Mobuto found displeasing, he was asked to leave the country. But, it was also in the Congo where he met his future wife Birte Nielsen, who was working for the Danish Red Cross at a teaching hospital. Mr. Codel returned to London to work for the AP until 1969. There, his son, Edward Kai Codel was born.

In 1969, he moved his family to Geneva to work for Business International as an associate editor for the Magazine Business Europe covering Africa and Scandinavia. While working for Business International he wrote Sweden: Toward a Post-Industrial Society and Prospects for Business in Developing Africa, and his daughter, Kirsten Roslyn Trego was born. Mr. Codel and his family returned to the United States in 1974, where he worked as a Public Relations specialist for the American Health Care Association. During his time at the AHCA, he wrote the Patients Bill of Rights for nursing home residents. In 1982, Mr. Codel suffered a brain tumor, which left him unable to perform his duties at AHCA, and he became a free-lance writer.

Along with his passion for family, travel, and work, he also had a great love for politics and the political process. He was involved with the Arlington Democratic Committee for many years, campaigning for several County Board members, several Governors of Virginia, and also volunteered under the Carter administration in the White House press section. Michael Codel led a good life and left behind a legacy which will keep him in our hearts forever. He will be greatly missed by many.

HONORING SGT. ALAN HAYMAKER

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. QUIGLEY. Madam Speaker, I rise today to honor a fallen hero of Chicago, police Sgt. Alan Haymaker. Alan was killed in the line of duty Sunday night in a tragic car accident while responding to a burglary call. A husband and father of three, Alan was just 56 years old.

Alan was a third generation police officer, but before he was an officer he was a man of the cloth. A graduate of both the Moody Bible Institute and Trinity Evangelical University, he spent the early part of his life as an associate pastor at an evangelical church on the Northwest Side. In 1988, he traded in his robe for a badge, but his faith made him a different kind of police officer.

Alan's commitment to his community never wavered for an instant after he changed career paths. He stood out for letting neighborhood meetings run sometimes hours long just so he could hear from everyone in the room. Twelve years ago he was promoted to Sergeant, where he mentored countless young officers ensuring that Chicagoans will benefit from his counsel, service and wisdom for years to come.

Today, I offer my deepest sympathy and most profound condolences to the Haymaker family and anyone who ever knew or worked with Alan and grieves his passing. Portage Park and all of us in the 5th district have lost one of our finest. May Sgt. Alan Haymaker rest in peace.

HONORING ASHLEY MORENO AND JAMILAH LINDO FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge two students in my district, Ashley Moreno and Jamilah Lindo, from Amityville High School.

These students will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the ''I Have a Dream'' speech delivered by Martin Luther King, Jr.

I am proud to honor Ashley and Jamilah for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

PERSONAL EXPLANATION

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. NADLER of New York. Madam Speaker, I missed one vote on February 23, 2010. I would have voted ''aye'' on rollcall vote No. 55, final passage of H. Res. 1046.

BILLY'S LAW

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. DELAURO. Madam Speaker, I rise to voice my support of H.R. 3965, the Help Find the Missing Act, a.k.a. ''Billy's Law.''

Named after Billy Smolinski, a 31-year-old Connecticut man who went missing in 2004, this Act revamps our national systems for finding and identifying missing persons for the 21st century, and provides families with the updated tools and technology they need to find loved ones who have disappeared.

Right now, we have two databases for missing persons and unidentified remains in America—the National Missing and Unidentified Persons System (NamUS) and the FBI's National Crime Information Center, NCIC. And yet, neither share data with the other, and thus too much information slips through the bureaucratic cracks.

''Billy's Law'' rectifies this glaring error by combining these two systems into one comprehensive database and funding it appropriately, one that families can use and even update with additional information on loved ones who have disappeared. This bill is an outgrowth of recommendations made in the wake of Connecticut's 2007 Law Enforcement and Missing Persons Act, and it is an easy fix that will redound to the benefit of families all across America in search of a missing loved one.

No one should have to deal with all the bureaucratic frustrations and red tape experienced by Billy's family as they searched for him. Put simply, ''Billy's Law'' removes a needless barrier between two stovepiped databases and brings our missing persons systems up-to-date with 21st century technology. I urge my colleagues to support this bill, and to give thousands of American families the tools and the peace of mind they deserve.

HONORING ALFRED MULLER, AROSA ARSHAD, DIMITRI JONES, EBONEE PADILLA, AND ESTEFONIA YACTAYO FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge five students in my district, Alfred Muller, Arosa Arshad, Dimitri Jones, Ebonee Padilla, and Estefonia Yactayo, from Brentwood High School.

These students will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the ''I Have a Dream'' speech delivered by Martin Luther King, Jr.

I am proud to honor Alfred, Arosa, Dimitri, Ebonee and Estefonia for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

REGARDING: MR. AMIGO 2009, VINCENTE FERNANDEZ, JR.

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ORTIZ. Madam Speaker, I rise today to recognize Mr. Vicente Fernandez, Jr., a Mexican Charro, actor and singer, who has been named Mr. Amigo 2009 in Brownsville, Texas, for the Charro Days Fiesta celebration.

Mr. Fernandez has been a lifelong supporter of the Mexican arts and culture through his love for mariachi music as well as being a traditional Charro. These important attributes make him the appropriate Mexican representative for our festivities.

Brownsville, Texas, located in Deep South Texas on the U.S.-Mexico border, is a unique subtropical area of this country—rich in its history and culture. For more than 70 years, this unique celebration, which brings the United States and Mexico together during the week-long events, has continued to attract thousands of people to the Rio Grande Valley.

Mr. Amigo, who has to be a Mexican citizen who has done extensive work in the arts and culture while promoting the bi-cultural, bi-literate, and bi-national efforts of the United States and Mexico, is the attraction of the week-long festivities.

Mr. Vicente Fernandez, Jr., son of the renowned Mr. Vicente Fernandez, an iconic Mexican singer, grew up close to the spotlight seeing his father sing and perform. At a young age, Mr. Vicente Fernandez, Jr. appeared onstage as a performer at the Teatro Blanquita in Mexico City. He went on to later appear and perform at the El Million Dollar Show in Los Angeles, California.

He has appeared in numerous Mexican films with his father, and together they have recorded several albums, including ''El Mayor de los Potrillos'' in 2001 and ''Vicente Fernandez hijo con Mariachi'' in 2002.

In 2006, Mr. Vincent Fernandez, Jr., debuted in Mexico with his show of horses that are trained to gallop while he sings and the mariachi band plays.

In 2009, he fulfilled one of his dreams, showcasing his music at a sold out Palacio de los Deportes, an indoor sports complex in Mexico City, where he sang and performed.

I am humbled that Mr. Vicente Fernandez, Jr., a proven Mexican ambassador of the arts and culture, was able to join our community of Brownsville to celebrate the Charro Days Fiesta.

I ask my colleagues to join me in recognizing the work, leadership, vision and efforts of Mr. Vicente Fernandez, Jr., to promote the arts and culture, which make him an extraordinary Mr. Amigo 2009.

INTRODUCTION OF THE UNITED STATES PAROLE COMMISSION AUTHORIZATION ACT OF 2010

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Ms. NORTON. Madam Speaker, today, I introduce the United States Parole Commission Authorization Act of 2010 to permanently authorize the United States Parole Commission (USPC). This bill is intended to prevent a replay of a narrowly averted catastrophe in 2008, when Congress nearly failed to temporarily reauthorize the USPC before its authorization expired. Since 1992, Congress has temporarily reauthorized the USPC five times. Now that the USPC has continuing responsibilities for Federal and District of Columbia Code Offenders, it is important to stabilize this important public safety agency with the same kind of authorization as other Federal law enforcement agencies.

The first three-year reauthorization of the USPC began when the Sentencing Reform Act of 1984 (SRA) abolished Federal parole and replaced it with determinate sentencing, requiring a sentencing judge to impose a fixed term of supervised release that is served by offenders after completing their prison terms. In order to accommodate Federal offenders convicted of crimes while parole was still in effect, the SRA called for the USPC to remain in existence until November 1, 1992, and the USPC has been temporarily reauthorized five times since then. Today, the agency grants, denies or revokes parole from Federal offenders who are not otherwise ineligible for parole, and makes determinations regarding supervised release for others.

The USPC, however, has had important new responsibilities for more than 10 years. To help alleviate a serious financial crisis in the District of Columbia, and at the city's request, the National Capital Revitalization and Self-Government Improvement Act (Revitalization Act) transferred the responsibility for, and the costs of, certain state functions from the District to the Federal Government, including the transfer of responsibility for D.C. Code Offenders from the D.C. Board of Parole to the USPC. The Revitalization Act also eliminated parole in the District, and instituted the District's version of determinate sentencing, similar to the Federal system. The USPC's duties with respect to D.C. Code Offenders vary according to the date on which the crime at issue was committed. For D.C. Code Offenders who committed crimes before August 5, 2000, and are not otherwise eligible for parole, the USPC is currently responsible for granting, denying or revoking parole, and making determinations regarding supervised release. For D.C. Code Offenders who committed crimes after August 4, 2000, and who are sentenced to a determinate sentence of imprisonment followed by a term of supervised release, the USPC is responsible for making determinations regarding supervised release.

The USPC also has other ongoing duties. These responsibilities include granting or denying parole for United States citizens convicted of crimes in a foreign country who elect to return to the United States to complete their sentences, parole-related functions for certain military and state offenders, and decision-making authority over state offenders who are on state probation or parole and are transferred to Federal authorities under the witness security program.

Today, however, most of the USPC's day-to-day work involves District of Columbia Code Offenders. As of September 2009, the USPC had or will have responsibility for approximately 2,500 Federal offenders and approximately 9,500 D.C. Code Offenders. Eventually, the USPC will have jurisdiction over almost no Federal offenders, but will continue to have jurisdiction over D.C. Code Offenders.

There are two primary reasons for permanently extending the life of the USPC. First, as then-Attorney General Ashcroft reported to Congress in 2002, ''there is no District of Columbia or federal agency, other than the USPC, with the staff, procedures, and infrastructure in place to effectively assume the functions of the USPC.'' And, as Edward F. Reilly Jr., then-Commissioner of the USPC similarly pointed out in his 2008 statement before the Subcommittee on Crime, Terrorism and Homeland Security, there is no other entity with the statutory authority to do so.

Second, and most important, the failure to extend the life of the USPC raises serious due process and ex post facto issues for offenders. In addition to its other provisions, the SRA requires the USPC, before its expiration, to schedule a release date for all parole-eligible offenders. Thus, without an extension, the USPC would be required under federal law to set release dates for all parole-eligible Federal prisoners, within 3 to 6 months before its expiration, or face due process challenges for a failure to set such release dates. This requirement could mean an arbitrary adjustment of prisoners' release dates, as well as the stripping of inmates of their right to contest their release dates, to periodic review and modification of those release dates, and to an earlier release date, after the USPC went out of existence.

This issue has already arisen. In a case before the Federal Third Circuit Court of Appeals in 2008, the petitioner argued that with the expiration of the USPC at the end of that year, and the ''winding up'' provision in the SRA requiring the USPC to set a release date for offenders within 3 to 6 months before the USPC's expiration, the USPC's decision to set a reconsideration hearing date instead of a release date violated the SRA. In response, the U.S. Attorney did not refute this claim but argued that Congress would likely extend the USPC, rendering moot the petitioner's claim that his right to the setting of a firm parole release date before the USPC's expiration had been violated. The Third Circuit then directed the U.S. Attorney to provide information regarding the pending expiration of the USPC

and the likelihood of its extension. Responding to this directive, the U.S. Attorney argued that the costs of failure to reauthorize the USPC were so high, and the constitutional issues so serious, that reauthorization was essentially guaranteed. "Congress itself has expressed concern over potential ex post facto problems that a failure to authorize might create," the U.S. Attorney wrote, relying on language from the legislative history of the Parole Phaseout Act of 1996. "'Constitutional requirements, specifically the ex post facto clause, necessitate the extension of the commission or the establishment of a similar entity authorized by statute to perform its functions.'"

The Third Circuit crisis in 2008 led Congress to reauthorize the USPC just in time, but only for another 3 years. The ordeal dealt a serious blow to the USPC. This year, we seek to obtain reauthorization not only well ahead of time, but to avoid a ritualistic reauthorization of a permanent law enforcement agency every 3 years. It will be particularly important to bear in mind that the close call the USPC had in the Third Circuit, could be repeated in the other 11 circuits. It is clear that a timely, simple reauthorization would have been beneficial to all concerned—the USPC, Congress, and the courts. I ask Congress to permanently extend the USPC to ensure the smooth and constitutional operation of the Federal and District of Columbia criminal justice systems.

HONORING VALERIE KUTZLER AND AUDREY ZAMICHAW FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge two students in my district, Valerie Kutzler and Audrey Zamichaw, from East Islip High School.

Valerie and Audrey will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Valerie and Audrey for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

EXPRESSING APPRECIATION FOR REPRESENTATIVE DALE KILDEE

SPEECH OF

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. PETERS. Mr. Speaker, I rise here today to honor Congressman DALE KILDEE on the occasion of his twenty thousandth vote.

Congressman KILDEE has proudly represented Flint area residents in Michigan's State House, State Senate and U.S. Congress for over 46 years.

Only missing twenty seven votes during his thirty three years in Congress, with a large portion of those during a hospital stay, Congressman KILDEE has been nicknamed the "Cal Ripken of Congress". His strong work ethic demonstrated in his exceptional voting record has also translated into many legislative victories.

Throughout his career, Congressman KILDEE has been a champion for children, from serving as a local high school teacher, to Chairman of the House Page Program, to working to establish child protection measures and additional development programs for children as a Member of Congress.

As a senior member of the Education and Labor Committee, and as the Democratic Chairman of the Congressional Auto Caucus, Congressman KILDEE has been a tireless supporter of auto workers in Michigan and around the nation, helping to establish worker retraining programs and new job opportunities. Through these efforts, Dale was able to establish a Job Corps Center in Flint to provide vocational and academic training for young people with the goal of helping them to improve their own quality of life.

I am proud to serve alongside my good friend DALE KILDEE, who has been a fighter for the people of Michigan; from his avid protection of our Great Lakes, to his support for worker protection laws and support of children's education. DALE has served as a mentor to me throughout my career in Michigan public office and I am proud to call him a friend, and happy to be able to congratulate him on the occasion of his 20,000th vote here in the House of Representatives.

HONORING CONGRESSMAN CHARLIE WILSON

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. QUIGLEY. Madam Speaker, I rise today in honor of Congressman Charles Wilson, who passed away on February 10th, 2010. Representative Wilson was a great statesman who served the 2nd Congressional District in Texas from 1972–1996.

Charles was born in a small town in Texas, where he developed a deep sense of pride as a Texan and a strong dedication to the American way. As a young man he served in the United States Navy where he rose through the ranks and was given the privilege to serve as part of a Soviet Union nuclear intelligence unit based out of the Pentagon. While serving in the military, 27-year-old Charles was able to effectively run for and win the office of State Representative in his native Texas. This began a 12-year political career in Texas that earned him the nickname "liberal from Lufkin".

In 1972, Wilson was elected to the U.S. House of Representatives, where he became most recognized for his role in the dismantling of the communist Soviet Union's occupation of Afghanistan. He deeply believed in the sovereignty of the Afghani people and was able to use his influence on the House Appropriations Subcommittee on Defense to help provide the funding for their liberation. Although the media has primarily focused on his accomplishments abroad, Charles always maintained Lufkin, Texas as one of his number one priorities. Some of his greatest domestic accomplishments include the creation of the 100,000-acre Big Thicket National Preserve and the Lufkin VA Hospital.

Madam Speaker, Charles Wilson was a political giant who brought his Texas-sized gusto for democracy and his passion for serving the American people to our Nation's capitol. He will be greatly missed not only by his wife and sister, but by the American people.

HONORING CHRISTINA CAPUTO FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a student in my district, Christina Caputo, from Half Hollow Hills West High School.

Christina will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, she wrote her own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Christina for her academic and personal achievements and congratulate her upon the receipt of this prestigious award.

RECOGNIZING GREG FIRST OF ZEPHYRHILLS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Greg First of Zephyrhills, FL. For most of his life, Greg has been a faithful servant to his community, volunteering himself to many causes which have helped to enrich the lives of many.

Born to Jimmy and Mary First in Bedford, Ohio, Mr. First moved to Zephyrhills with his family at the age of ten. After graduating from Zephyrhills High School, he attended the University of Maryland and served in the United States Air Force from 1968 to 1972.

Mr. First has volunteered himself, quite literally, having donated a total of 16 gallons of blood while Director of Public Relations for Blood Net, in addition to volunteering for Meals on Wheels, Relay for Life, and a local hospice. He has kept up the spirits of Zephyrhills residents as an announcer for Main Street parades and high school football games. A three-time president of the Chamber of Commerce, Mr. First has been a Christian Radio DJ, a lifetime Am Vet member, and he even started his own local news website, "What's Up Zephyrhills?"

Madam Speaker, on February 26, the city of Zephyrhills will honor Greg's achievements. I ask you to join me today to honor him on the floor of the House. May we all give back to our communities as much as Mr. First has.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mrs. CAPPS. Madam Speaker, I was not able to be present for the following rollcall votes on February 23, 2010. I would have voted as follows:

Had I been present on rollcall No. 51: "yes"; rollcall No. 52: "yes"; rollcall No. 53: "yes"; rollcall No. 54: "yes"; rollcall No. 55: "yes."

HONORING EMILY SMITH, ALDA YUAN, JAIME ZAHL, ALYSSA GRIFFIN, AND STEPHANIE SCHNEIDER FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge five students in my district, Emily Smith, Alda Yuan, Jaime Zahl, Alyssa Griffin, and Stephanie Schneider, from Islip High School.

These students will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Emily, Alda, Jaime, Alyssa, and Stephanie for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

HONORING DOLPHAS TROTTER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to posthumously honor Dolphas Trotter upon being honored with the "Trail Blazers Award" by the African American Museum. Mr. Trotter will be honored at the African American History Month Celebration and Banquet on Saturday, February 6th, 2010 in Fresno, California.

Mr. Dolphas Trotter was born in 1940 in Idabel, Oklahoma. In 1945 the Trotter family moved cross-country and settled in Southwest Fresno, California. Mr. Trotter attended Washington Union High School where he played football. During his senior year, he participated in the annual Fresno City-County All-Star game, which earned him a football scholarship to College of the Pacific, know today as University of the Pacific. Mr. Trotter graduated in 1962 with a Bachelor's degree and returned to Fresno and began working for Fresno County Department of Social Services.

Shortly after his return to Fresno, Mr. Trotter was drafted into the United States Army and was honorably discharged in 1969. This experience affirmed his belief in the value of education and community. When he returned to Fresno from his military service, he began a career in education. The first of many positions Mr. Trotter held in education was at Franklin Elementary School as a fifth grade teacher. He moved on to teach at Edison High School, where he later became the Vice Principal and the first African-American Principal of the school. Mr. Trotter had a successful career in the Fresno school system including serving as Principal at Tioga Middle School and Cooper Middle School. For a brief time he served as the first African-American Interim Superintendent of the Fresno Unified School District and then served as the Superintendent at New Millennium Charter Schools.

Mr. Trotter was also a firm believer in community service. He sat on many boards and worked with many organizations, including the African American Historical and Cultural Museum Board of Directors, the Association of California School Administrators, Cedar Vista Hospital Advisory Board, Channel 24 Portrait of Success Board member, National Alliance of Black School Educators, State Center Community College Foundation and Washington Union School Board. For his service to these organizations Mr. Trotter has received many accolades.

Mr. Trotter and his wife met while working at the Fresno County Department of Social Service. They were married in 1972 and raised four children, including two adopted daughters. Mr. Trotter passed away on March 18, 2009. He was a strong advocate and will be remembered as an inspirational role model for the people of Fresno, and the residents of Southwest Fresno.

Madam Speaker, I rise today to honor the life of Dolphas Trotter. I invite my colleagues to join me in honoring his life and wishing the best for his family.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. SMITH of Washington. Madam Speaker, on Tuesday, February 2 and Wednesday, February 3, 2010, I was unable to be present for votes while I was attending to a health-related matter.

Had I been present on Tuesday, February 2, 2010, I would have voted "yes" on rollcall vote No. 26 (on the motion to suspend the rules and pass H.R. 4495), "yes" on rollcall vote No. 27 (on the motion to suspend the rules and agree to H. Res. 957), and "yes" on rollcall vote No. 28 (on the motion to suspend the rules and agree to H. Res. 1014).

Had I been present for votes on Wednesday, February 3, 2010, I would have voted "yes" on rollcall vote No. 29 (on ordering the previous question on H. Res. 1051), "yes" on rollcall vote No. 30 (on agreeing to H. Res. 1051, the rule providing for consideration of H.R. 4061), "yes" on rollcall vote No. 31 (on the motion to suspend the rules and agree to H. Res. 1043, as amended), "yes" on rollcall vote No. 32 (on the motion to suspend the rules and agree to H. Res. 901, as amended), and "yes" on rollcall vote No. 33 (on the motion to suspend the rules and agree to H. Res. 1044, as amended).

HONORING LINDSEY LEFEBER FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a student in my district, Lindsey Lefeber, from Northport High School.

Lindsey will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, she wrote her own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Lindsey for her academic and personal achievements and congratulate her upon the receipt of this prestigious award.

RECOGNIZING HONDA'S MANUFACTURING COMMITMENT TO THE UNITED STATES

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. JORDAN of Ohio. Madam Speaker, I am honored to commend to the House the extraordinary commitments made by Honda over the last three decades to create jobs and expand its solid manufacturing base in Ohio and throughout the nation.

In 1979, Honda opened manufacturing operations in the United States with small-scale production of dirt bikes in Marysville, Ohio. From that initial footprint, Honda has grown into one of our nation's most important job creators, with nine manufacturing and thirteen research and development facilities located across the nation. Honda directly employs roughly 27,000 Americans—15,000 in my home state alone.

With so much focus on jobs moving overseas, Madam Speaker, it is often too easy to overlook the value and importance of direct foreign investment in this nation. The more than $12 billion invested by Honda in the United States—with $7 billion of that invested in Ohio alone—supports not only those 27,000 employees but also more than 340,000 others employed at Honda suppliers, dealers, and servicers nationwide.

Honda was the first Asian automaker to build products in the U.S., recognizing the value of siting manufacturing plants in sales markets. Since 1996, three in four Honda and Acura automobiles sold in this country have been manufactured in North America. The company's total U.S. auto production reached one million in 2007—with 700,000 produced at Ohio's Honda plants.

Three communities in my district are home to major Honda facilities. More than 2,750 are employed in Anna, which produces engines, driveshafts, and brake components. The transmission manufacturing facility in Russells Point employs an additional 1,050. The 2,500 workers at the plant in East Liberty assemble the Crosstour, CR–V, and Element. Thousands more in my district work at the dozens of companies of all sizes that provide parts to these facilities.

Madam Speaker, direct foreign investments in the U.S. put more Americans to work and strengthen our manufacturing base. Especially in these tough economic times, I am proud of the strong role that Honda plays in the U.S. and Ohio. I applaud everyone at the company on its distinguished record of manufacturing quality, corporate citizenship, and job creation over the last 30 years.

HONORING THE 68TH ANNIVERSARY OF EXECUTIVE ORDER 9066

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Ms. MATSUI. Madam Speaker, I rise today to recognize February 19, 2010 as a day of remembrance, on the occasion of the sixty-eighth anniversary of Executive Order 9066.

February 19th will forever be a reminder of the injustice and racial prejudice of World War II internment. This day marks the anniversary of a momentary erosion of America's core principles—a time when over 120,000 Americans were denied their civil rights and imprisoned against their will. At the same time, this anniversary represents our nation's incredible ability to reaffirm our commitment to protecting the freedoms of all Americans.

Following the 1941 attack on Pearl Harbor, our government succumbed to apprehension and hysteria by targeting many of its own citizens who had nothing to do with the attacks. Executive Order 9066, which was neither justified nor necessary, was issued as a way to assuage growing fears that Japanese-American citizens constituted a threat to national security. This unfortunate decision was shaped by panic and prejudice, and demonstrated that courageous political leadership in this most trying of times was lacking. By commemorating and remembering the failure of our government to uphold the Constitutional rights guaranteed to every American, future generations will hopefully avoid repeating these past mistakes.

Over 120,000 Americans of Japanese ancestry were sent to internment camps and wrongly imprisoned. And though our country's participation in World War II may have ended in triumph, the mistreatment of Japanese, Italian, and German Americans cannot be excused.

In the decades following Executive Order 9066, we have taken several substantial steps to study, remedy, and learn from the negative legacy of the internment while preserving the heritage of those affected. The directive was officially repealed in 1976, and a commission was formed to study the impact of relocation on Japanese Americans. In 2008, we celebrated the twentieth anniversary of the Civil Liberties Act, which was a major step forward in righting the wrongs perpetrated during this difficult period in our nation's history. It is for these reasons that I rise today to call on all Americans to reaffirm our commitment to inalienable, constitutionally-provided rights. This dark period in our history must always be remembered critically, while also appreciated, as a symbol of our ability to acknowledge and rectify mistakes. As I look back to this time in our nation's history and see how far we have come in the intervening years, I see great hope for our future.

HONORING COREY ANDERSON FOR WINNING THE HONORING OUR FUTURE LEADERS COMPETITION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a student in my district, Corey Anderson, from Sayville High School.

Corey will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, Corey wrote a personal rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Corey for outstanding academic and personal achievements and congratulate Corey upon the receipt of this prestigious award.

COMMENDING THE U.S. NAVY FOR ITS WORK IN HAITI

SPEECH OF

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. YOUNG of Florida. Madam Speaker, I rise in support of House Resolution 1048 which honors the work of the men and women of the USNS *Comfort* and the United States Navy in the immediate response to those affected by the devastating earthquake that struck Haiti on January 12, 2010.

The Navy's support is ongoing and to date, the *Comfort* has treated more than 900 Haitians and has performed more than 750 life saving surgeries. Together with her sister ship, the USNS *Mercy*, these vessels serve as ambassadors of good-will during periods of desperation all around the world. Their mission is always a benevolent one and their commitment to areas of strife and devastation highlight the best qualities of what it means to be an American—that we stand by always ready to assist and will never forsake those who are in need.

The earthquake that hit Haiti was the most devastating it has seen in 200 years. Words cannot adequately describe the destruction that took the lives of more than 200,000 people, leveled the capital city, and left thousands of survivors with an uncertain future coupled with worries about hunger, disease, and injuries. Into that morass of suffering we stepped in as a nation to assist the good Haitian people with the USNS *Comfort* and the Navy as part of the vanguard.

The USNS *Comfort* has a storied history. Among its most notable deployments were:

—In 2007 when it embarked on a four month humanitarian assistance mission throughout Latin America and the Caribbean that treated more than 98,000 people in 12 countries. This type of mission highlights the diplomatic role our military plays as it works in concert with the State Department in being ambassadors of good-will.

—In 2005 when *Comfort* responded on our own shores after the devastation of Hurricanes Katrina and Rita, providing treatment to thousands in the Gulf Coast region. Despite regional devastation, the USNS *Comfort* was able to provide critical emergency hospital services for residents and first-responders before regular service was restored.

—In 2003, when *Comfort* deployed to war and served as an afloat trauma center for two months during the initial stages of Operation Iraqi Freedom.

—In 2001, immediately in the aftermath of the 9-11 attacks, when *Comfort* deployed in support of Operation Noble Eagle and provided meals, housing, medical and psychological services to volunteer and relief workers at New York's ground zero.

This is just a sampling of the ship and crew's operational history since *Comfort* was delivered to the Navy in 1987. Untold thousands have benefited from these missions.

Madam Speaker, while many know of *Comfort* and *Mercy's* life-saving work, few realize that these ships almost did not come into the Navy's fleet. USNS *Comfort* and USNS *Mercy* began their lives as oil-tankers a decade before being delivered to the Navy as hospital ships. In fact, they were destined for the scrap yard, if not for the intervention of Congress and specifically the Appropriations Committee. It was a Congressional Initiative that was the catalyst for the birth of the *Mercy* Class Hospital Ships. My colleagues and I on the Appropriations Committee saw a need for this life-saving capability when others sought to scrap these ships. We saw the value in these *Mercy* Class Hospital Ships, to provide a unique capability of being some of the largest U.S. trauma centers with the distinction of having world-wide mobility. Even in the face of airfield closures, destroyed infrastructure, and interrupted communications, as long as the sea is navigable, the USNS *Comfort* and USNS *Mercy* can get there. Once on the scene, a fully crewed ship brings 1,000 medical professionals, a hospital with a full spectrum of surgical and medical services including four X-rays, a CAT scan unit, a dental suite, two oxygen-producing plants, and 5,000 units of blood. The ships have 12 operating rooms and a total bed capacity of up to 1,000. In short, they are fully functional floating hospitals able to give first-rate care where otherwise there would be no treatment options.

Madam Speaker, As we take the time today to honor the men and women who proudly serve this country aboard the USNS *Comfort*, let us also remember the broad scope of compassionate contributions that our servicemen and women are providing around the world in both non-hostile and hostile environments. Often times we forget that our military performs many humanitarian functions that other agencies and nations depend upon, be it logistical support or whole-scale nation-building. Their efforts and their sacrifice go beyond expressions of remorse and tangibly demonstrate our level of commitment to peace and prosperity for all.

RECOGNIZING DON ANDERSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. LATHAM. Madam Speaker, I rise today to honor the Boone, Iowa Police Department's Assistant Chief, Mr. Don Anderson, who, with over three decades of law enforcement service to his community, will officially retire on March 1, 2010.

Assistant Chief Anderson graduated from Boone High School in 1973 and shortly thereafter joined the United States Army. Following six years of service as a military policeman with the Army, he returned to Boone and joined the police force in July of 1979. After serving six years as a desk officer and taking criminal justice classes at the Des Moines Area Community College Boone Campus, Mr. Anderson became a patrolman. In 1993 he was promoted to captain, and by 2002 Mr. Anderson had ascended to Assistant Chief of the Boone Police Department.

In addition to keeping the streets of Boone well protected, Assistant Chief Anderson has been a key figure in various local outreach projects, including the ''Shop with a Cop'' and ''Safety Pup Officer'' programs, which have helped educate the community about law and safety related issues.

With his retirement from the Police Department, Assistant Chief Anderson plans on spending more time with his wife, Maria, as well as his children and grandchildren. In true devotion to his community, even in retirement, Assistant Chief Anderson plans to work part-time for the Boone County Attorney's Office.

Madam Speaker, it is individuals like Don Anderson who exemplify the dedication and willingness to serve that keep our nation running safe and strong. I sincerely appreciate the work Assistant Chief Anderson has done and I am proud to serve him, his family and his fellow law enforcement colleagues in the United States Congress.

HONORING THE HEROISM OF THE SEVEN AND/DEPLOYED TO HAITI

SPEECH OF

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to offer my support for H. Res. 1059, honoring the bravery and heroism of our local urban search and rescue teams for their lifesaving efforts in Haiti.

The earthquake of January 12, 2010 was a horrific event that wreaked untold devastation and tremendous loss of life on Port-au-Prince and its surrounding areas. In a matter of minutes, 200,000 people lost their lives. It was a sobering reminder of how fragile life is. The response, worldwide, to this awful tragedy has been a comforting reminder of our resilience and willingness to lend aid and hope to those in need.

The men and women of the Fairfax County, Virginia, New York City, Los Angeles, Miami, Miami-Dade and Virginia Beach urban search and rescue teams immediately left for Haiti, risking their own lives to save others. Day in and day out, these men and women serve their local communities, providing lifesaving care at home, but when there are people in great need, America's local urban search and rescue teams always rush to answer the call. During the initial days after the quake, these men and women brought relief to worried families and hope to an anxious nation with daily rescues from the rubble.

We should all be thankful for their efforts, and I am especially proud of Virginia Task Force 1 from Fairfax, which I represent. During its time in Haiti, Virginia Task Force 1 participated in the rescue of 16 people. While the untold loss of life was horrific, the efforts of all of our urban search and rescue teams made a difference.

I continue to offer my deepest sympathy to the people of Haiti as they cope with the aftermath of this terrible tragedy. I commend the heroic men and women of Virginia Task Force 1, and all our urban search and rescue teams, for so richly embodying the American spirit that says if you are in need, we will help. I urge my colleagues to support this resolution.

EARMARK DECLARATION

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. ALEXANDER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Department of Defense Appropriations Act, 2010, H.R. 3326.

Congressman RODNEY ALEXANDER

H.R. 3326

RDTE, AF

Louisiana Tech University, 700 W. California Ave, Ruston, LA 71272

Remote Language—Independent Suspect Identification $2,560,000. Louisiana Tech University seeks funding for research in remote language-independent suspect identification. Our researchers have developed technologies that use mathematical models for identity verification. Aspects of this work have been commercialized in the private sector. The University has worked with the Air Force and industry partners in further development of the algorithms and software for military applications. These funds will support our faculty and partners identified by the Air Force in extending the development of these algorithms.

Congressman RODNEY ALEXANDER

H.R. 3326

RDTE, A

Pennington Biomedical Research Center, 6400 Perkins Rd., Baton Rouge, LA 70808

Military Nutrition Research: Four Tasks to Address Personnel Readiness $800,000. Provide ongoing research to continue the Army's responsibility for military nutrition research across all branches of military service. The work focuses on the improvement of health and performance of the American Armed Forces.

Congressman RODNEY ALEXANDER

H.R. 3326

RDTE, N

C&C Technologies, Inc. 730 E Kaliste Saloom Rd., Lafayette, LA 70508

Semi-Submersible UUV for Sensor Enhancements $1,400,000. The ideal vehicle for providing risk reduction for technology and operations is the unmanned semi-submersible vehicle. Rather than requiring costly and complex acoustic navigation and telemetry systems, semi-submersible unmanned vehicles may be integrated with standard GPS and radio communication systems. This project also supports NOAA's Office of Ocean Exploration.

Congressman RODNEY ALEXANDER

H.R. 3326

RDTE, N

QinetiQ-North America, 40201 Highway 190 East, Slidell, LA 70461

Sonobuoy Wave Energy Module (SWEM) $800,000. The Naval Air Systems Command (NAVAIR) is currently seeking alternatives to batteries as long-term energy sources for long life environmental and anti-submarine warfare sonobuoys. SWEM technologies have near term application to NAVAIR's Sensor for Environmental Assessment buoy project as well as to a wide range of evolving sonobuoy types and classes. SWEM power modules enable longer term, continuous operation of systems without battery replacement.

MICHAEL G. RIPPE

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. MACK. Madam Speaker, I rise today to honor Mr. Michael G. Rippe and the renaming of the Metro Parkway Extension in Fort Myers to the Michael G. Rippe Parkway.

Mr. Rippe earned a Bachelor of Science degree in Mining Engineering Technology from the West Virginia Institute of Technology. He joined the Florida Department of Transportation in August 1989. From 2000–2004, he served as the Director of the Southwest Area Office. Throughout this time, Mr. Rippe was an integral part in keeping Florida's roads safe and efficient.

In 2004, Mr. Rippe was appointed Director of Transportation Development for Florida Department of Transportation, District One. His work contributed to the development of many roads and bridges in Southwest Florida. Mr. Rippe's contributions to the Department of Transportation have been a huge asset for my district and the entire state of Florida.

Throughout his career, Mr. Rippe had worked closely on many major highway and bridge projects. He assisted in resolving various design and construction issues with local government and private citizens. His work on U.S. 41 projects accelerated job schedules and saved millions of taxpayer dollars.

I.would like to recognize Mr. Rippe for his numerous contributions to the citizens of Lee County, and I speak on behalf of all Floridians when I say that we are proud of his accomplishments. I strongly support renaming the Metro Extension Parkway in Lee County, Florida to the Michael G. Rippe Parkway.

Thanks to Mr. Rippe's commitment, the citizens and visitors of Southwest Florida will benefit from his lasting legacy of safe, modernized roads for many years to come. Madam Speaker, it is a true honor to represent dedicated public servants like Mr. Rippe in Congress.

CELEBRATING THE LIFE OF HARLEM'S BELOVED JAMES E. BOOKER, SR. FONDLY KNOWN AS THE DEAN OF BLACK JOURNALISTS & FORMER SPECIAL ADVISOR TO PRESIDENT LYNDON BAINES JOHNSON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. RANGEL. Madam Speaker, I rise with great pride, admiration and sadness as I pay tribute to my dear friend and life-long buddy, Brother James E. Booker, Sr., as we celebrate the passing of one of Harlem's greatest National Correspondents and Political/Community News Columnists at Bethel African Methodist Episcopal Church in Harlem.

As I speak with profound honor and respect for my friend Jimmy, I ascend to celebrate a life well-lived and to also remember the many journalistic professional accomplishments of this remarkable man. Always dressed in his signature bowtie look, Jimmy Booker penned his name in history. He was the classic newspaperman, a writer with a remarkable flare for accuracy, integrity and style. Jimmy's columns, ''The Uptown Lowdown'' and ''Top Drawer Stuff,'' were informative, edgy and insightful capturing unfolding stories about Harlem, Black New York. City Hall, Albany and our Nation's Capital.

James E. Booker, Sr., was born in Riverhead, New York to Fletcher and Elizabeth Booker on July 16th, 1926. He was reared, attended school, and worked on his father's farm in Riverhead, New York. In 1948, Booker graduated from Howard University in Washington, DC, with a Bachelor's in Arts in Journalism, and then moved to New York City to begin a career in Journalism working as a reporter for the Amsterdam News in Harlem. In 1950, he served in the United States Army during the Korean War. He later returned to his job as a Journalist with the New York Amsterdam News.

Jimmy referred to his 16 years at the Amsterdam News, where he eventually became Executive Editor, the most exciting of his journalistic career. He traveled the country, interfacing with such notables as the Rev., Dr. Martin Luther King Jr., Harlem Congressman Adam Clayton Powell, National Urban League Director, and Whitney M. Young, all of whom he developed a first name relationship with.

On December 22nd, 1956, he married the former Jeanne Carol Williams, in New York, and moved to the newly erected Lenox Terrace, where he lived for the remainder of his life. In 1964, the couple had a son, James E. Booker Jr. (Reverend James E. Booker, Jr). In 1966, Jimmy took his family to Washington, DC, to work as Special Advisor to President Lyndon Baines Johnson. In 1968, Jimmy returned home to Harlem, and opened up his own public relations business, ''James E. Booker Associates'' on 527 Madison Avenue in New York City.

Jimmy leaves behind a great written legacy of stories, history, adventure, and legendary achievements that will continue to uplift all of our African American families to the highest levels of advancements. Jimmy story includes some of the most important historic episodes of the 20th century. When Fidel Castro arrived in Harlem in 1960, Jimmy Booker was there, interviewing the young Cuban for one hour at the famed Theresa Hotel. Figures like Malcolm X, Dr. Martin Luther King. Jr., Congressman Adam Clayton Powell, Jr. and National Urban League founder, Whitney M. Young.

Even the notorious Bumpy Johnson who ruled the streets of Harlem did not escape the pen. Jimmy knew first hand how dangerous a man he was. ''He put a gun to my head and told me he didn't like what I had been writing,'' Booker once told a group of friends one night at the Theresa Hotel where he frequented, amusing listeners with many incredible tales.

He covered us many times, Percy Sutton, Basil Paterson and David Dinkins, the infamous Gang of Four with those same remarkable attributes that made us so revered in his famous national and local weekly columns. He served the cause of justice by covering the biggest stories of the Civil Rights Movement, giving the world insight on groups like the NAACP and the Black Panthers Party.

For years his column in the Amsterdam News was chocked full of tidbits and gossip about Harlem, the kind of ''who shot John'' stuff that never failed to keep readers' attention. Later, during his tenure at the New York Beacon, he maintained his tireless contact with every facet of the community's activities, roving from board meetings, to funerals, to rallies, to wherever the action was. Booker's Columns were published weekly in many independent and syndicated news and community publications including: ''The Afro Times,'' The Daily Challenge,'' ''Big Red,'' and ''The Twilight.''

Jimmy was also a very close advisor to many politicos, activist and community organizations, past and present, including Lloyd E. Dickens, ''The Fox'' J. Raymond Jones, Fred E. Samuels, Professor Preston Wilcox, Dr. John Henrik Clarke, Edward Fordham, Inez E. Dickens, Keith L.T. Wright, C. Virginia Fields, Hazel N. Dukes, Dr. Annie B. Martin and the NAACP to name just a few.

Jimmy was also fond of Harlem's Nightlife where he covered many luminaries, entertainers and personalities like Count Basie, Billy Eckstine, Sammy Davis, Jr., Charles Honi Coles, Leroy Myers, Gregory Hines, Pop Brown, George Benson, Nat Davis, Irene Reid, Jimmy ''Preacher'' Robins, Gloria Lynne, Savion Glover and the Prince of Harlem, Lonnie Youngblood, at the Theresa Hotel and later at Harlem's famous Showman's Jazz Café. Mr. Booker held court on a regular basis with his longtime friends Al Howard, Mona Lopez, Diamond Lil Pierce, Tanya Alfonso, Ida Fernandez, and members of ''The Showman's Elites'' and ''The Disciples.''

He will long be remembered for his extraordinary commitment, humor, liveliness, energy, wisdom, discipline, principle and clear purpose which won the admiration of all who were privileged to come to know and work with him during his distinguished career. Jimmy E. Booker, Sr. was called home on Friday morning, February 5th, and his home going services took place on February 9th, at Harlem's historic Bethel African Methodist Episcopal Church, which was a major stop on the Underground Railroad.

Madam Speaker, I consider myself fortunate to have had the opportunity to observe and experience his example as a personal inspiration. Though Jimmy is no longer with us, we will continue to keep his memory alive in our hearts and minds, and continue to honor his legacy with our advocacy for the issues he cared about the most. We are all blessed to have known, Jimmy E. Booker, Jr., a titan of a man who witnessed history with a pen that gave us all life.

HONORING HUGH GOODWIN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to posthumously honor Hugh Goodwin upon being honored with the ''Trail Blazers Award'' by the African American Museum. Mr. Goodwin will be honored at the African American History Month Celebration and Banquet on Saturday, February 6th, 2010 in Fresno, California.

Mr. Hugh Wesley Goodwin, Sr. was born on May 6, 1921 to James and Anna Goodwin. He was the youngest of seven children. The family settled in Steelton, Pennsylvania where his father worked both as a steel worker and a Baptist minister. Mr. Goodwin served in the military during World War II. Upon his discharge he graduated from Harvard Law School and moved to California to practice law.

Mr. Goodwin was the first African American lawyer and judge in Fresno County. He opened his law practice in Fresno during the early 1950's. In 1957 Mr. Goodwin married Frances Jones. Together they raised four children; Hugh, Paul, Anna and Tom.

Over the next fifty years, Mr. Goodwin continuously advocated for disadvantaged people and challenged the racial boundaries at the time. Through his perseverance and advocacy, he earned a wide range of respect from his peers, as well as members of the community. Mr. Goodwin was very active in the community. He was a member of the Equal Opportunities Commission Legal Council and volunteered at the Fresno Rescue Mission. Mr. Goodwin served as President of the Fresno Black Caucus and President of the West Fresno Little League. After the little league games, Mr. Goodwin would take the scores and highlights to The Fresno Bee to be published in the paper the next day. He was a devout Christian; he attended Second Baptist Church and served many years as a deacon and a Sunday school teacher.

In 1976, Mr. Goodwin was appointed to the municipal court bench in Fresno County. While serving on the bench, he gained national attention when he sentenced convicted defendants to church rather than serving jail time or paying fines. Throughout the controversy, he remained committed to his beliefs. Mr. Goodwin returned to private practice in 1978 and remained practicing until 1996. Mr. Goodwin passed away in 2004.

Madam Speaker, I rise today to posthumously honor Hugh Goodwin. I invite my colleagues to join me in honoring his life and wishing the best for his family.

RESOLUTION AUTHORIZING THE USE OF EMANCIPATION HALL FOR THE PRESENTATION OF THE CONGRESSIONAL GOLD MEDAL TO THE WOMEN AIRFORCE SERVICE PILOTS

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mrs. DAVIS of California. Madam Speaker, I rise today to introduce a resolution authorizing the use of Emancipation Hall for the presentation of the Congressional Gold Medal to the Women Airforce Service Pilots.

As Chair of the House Armed Services Subcommittee on Military Personnel and Co-Chair of the Women's Caucus Task Force on Women in the Military and Veterans, I am privileged to honor these women who, almost 70 years ago, became pioneers for women's equality in the Armed Forces.

And now, on March 10, 2010, we will honor their legacy as the first female aviators in American military history with the award of the Congressional Gold Medal.

The Women Airforce Service Pilots are referred to as the WASPs.

Unlike many acronyms used in the military, this is an apt name.

Like wasps, their work demanded a unique combination of feistiness and strength, underlined by loyalty to their fellow WASPs and their country.

I am astounded by their tenacity and their bravery.

And yet, despite that dedication, these women have encountered difficulties in being recognized for their service.

This ceremony will be an illustrative example of our indebtedness to their service, and I hope all of my colleagues will join me in thanking the WASPs.

This group of unsung heroines demonstrates the courage of servicewomen in the past, the integrity with which women serve today, and the enthusiasm of the young women who dream of serving this great nation in the future.

I am therefore honored to ask for authorization for the use of Emancipation Hall for the Congressional Gold Medal ceremony.

TRIBUTE TO DIANE BERRY CAVES

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. WAMP. Madam Speaker, our nation lost an extraordinary public servant on January 12, 2010, when a catastrophic earthquake devastated the island nation of Haiti. Diane Berry Caves died tragically in Port-Au-Prince helping others in the impoverished country through her work at the U.S. Centers for Disease Control and Prevention. Her life and her dedication to public service are an example and high standard for us all.

This remarkable young woman accomplished more in her 31 years than many people contribute in a lifetime. A devoted wife, daughter and sister, Diane dedicated her life to helping those less fortunate. Her professionalism and commitment to improving the world around her was recognized twice with outstanding service awards. In 2008, Diane was awarded the Public Administration Achievement Award from the Andrew Young School of Policy Studies, one of the country's best policy schools. Last year, Diane was chosen from 6,000 other Federal workers and honored as the Atlanta Federal Executive Board Employee of the Year.

Diane grew up in the heart of my congressional district and graduated from Oak Ridge High School, where teachers remember her as an outstanding student and her classmates described her as adventurous. In addition to her work at the CDC and graduate studies at Georgia State University, Diane furthered her thirst for knowledge through book clubs and even found time to hike both the Andes Mountains and European Alps. There is no doubt, Diane's work ethic and zest for life left a lasting impression and inspired those around her.

The void she leaves in public health, outreach and volunteerism will be felt far beyond the CDC in Atlanta and her hometown of Oak Ridge, Tennessee. May Diane's family be comforted by her memory and may her extraordinary legacy serve as an example to others.

LOW-INCOME HOUSING TAX CREDIT EXCHANGE EXPANSION AND JOB CREATION ACT OF 2010

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I rise today to introduce the "Low-Income Housing Tax Credit Exchange Expansion and Job Creation Act of 2010," legislation combating the housing and unemployment crises.

The Low-Income Housing Tax Credit is the nation's largest and most successful affordable rental housing production program. It has financed more than two million homes since 1987 and about 120,000 annually in recent years. This program provides tax credits to developers who agree to build or rehabilitate affordable housing. It includes both "9 percent" credits, which state housing finance agencies can allocate in amounts up to a state-level ceiling, and "4 percent" credits, which are available to all developers who receive allocations of tax-exempt bonds to build rental housing.

The American Reinvestment and Recovery Act (ARRA) of 2009 contained a provision that enabled the temporary exchange of unusable low-income housing credits. This exchange has enabled more than 600 affordable housing developments to proceed around the country, providing affordable homes to more than 30,000 low-income families and creating more than 35,000 jobs. The ARRA provision allowed investors to exchange low-income housing credits for grants at 85 percent of the value of the credits at virtually no cost to the federal government. Unfortunately, this provision only applied to 9 percent housing credits.

My legislation would expand this temporary credit exchange opportunity to include 4 percent credits. In 2007, prior to the financial markets crisis, states partnered with private developers using 4 percent housing credits to create nearly 70,000 rental homes affordable to low-income working Americans and 85,000 housing-related jobs. In 2008 and 2009, the number of affordable homes and jobs produced by the 4 percent credit program fell by nearly 50 percent as capital available for investment disappeared.

I am introducing this bill because our country cannot afford to let this valuable 4 percent tax credit program fall into disuse due to the economy's downturn at a time when our country is in desperate need of more jobs and more affordable places for low-income families to live. Providing a safe and stable home gives families the critical foundation to find employment, get an education, and play an active role in their communities. Passage of this bill will allow cost effective investments leading to both more jobs and more housing for low-income working Americans and benefit our communities for years to come.

I hope that you will join me in supporting this legislation.

A TRIBUTE TO JOHN M. HITCHCOCK

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. SCHIFF. Madam Speaker, I rise today to honor John M. Hitchcock, who will be retiring as Executive Director of Hillsides Home for Children in March 2010.

John M. Hitchcock was born in New York, NY on April 23, 1940. He received his BA in Math and Chemistry from the University of Michigan in 1963 and his MA in Social Work from Wayne State University in 1965. John and his wife, Ida, have been married for over 40 years and reside in Pasadena. The Hitchcocks have two sons, David and Bob, and one granddaughter, Kate.

In 1971, John joined Hillsides Home for Children as Assistant Director and then became Executive Director and President of Hillsides Education Center in 1981. Since then, John has been responsible for the overall operation of Hillsides, which encompasses the management of the 17-acre campus, the operation of three local group homes, and planning, directing and coordinating Hillsides' activities.

Under Mr. Hitchcock's leadership, Hillsides has become an exemplary residential treatment program for children. The Hillsides Education Center continues to be an invaluable resource for the community, and the scope of programs and services provided by Hillsides has expanded to serve not only abused, abandoned and neglected children but also children and families in crisis living in Los Angeles County. John helped provide residential care, community-based support, special education and transitional assistance to emancipating foster youth, and in 2006, opened a large apartment complex, which serves as a transitional living facility for 20 emancipated foster youth.

Mr. Hitchcock has served on many boards and commissions including Planned Parenthood of Pasadena, Camp Wrightwood, Coalition for a Non-Violent City, Gooden Center, and the Association of Community Human

Service Agencies, and he has served as Chair of the Episcopal Commission on Advocacy for Children and Youth. John is actively involved in the Foster Care Project at All Saints Episcopal Church, and he is a Canon in the Episcopal Diocese of Los Angeles.

For over 40 years, John has truly been a voice for at-risk children. His kindness, foresight, leadership and extraordinary energy have profoundly impacted the lives of the 25,000 children and their families in his care over the years. By maintaining a deep awareness of the children's current needs as well as personal knowledge of each of the residents in Hillsides' care, John has created a warm, loving environment where children feel secure enough to rebuild hope for the future.

I ask all Members of Congress to join me today in honoring John M. Hitchcock for nearly 40 years of dedicated service to Hillsides Home for Children and the entire community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is 12,409,374,679,862.09.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $1,770,948,933,568.29 so far this Congress. The debt has increased $6,347,500,206.80 since just yesterday.

This debt and its interest payments we are passing to our children and all future Americans.

TRIBUTE TO LIEUTENANT GENERAL LARRY DODGEN

HON. PARKER GRIFFITH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. GRIFFITH. Madam Speaker, I rise today to pay tribute to a great American who was a good friend of mine and a good friend of north Alabama—Lieutenant General Larry Dodgen. General Dodgen passed away this past Saturday leaving a void in our Huntsville community. He was a battle tested soldier, having led his battalion into war in 1993 during Operation Desert Storm. Later in his career, he became commander of the U.S. Army Aviation and Missile Command (AMCOM) at Redstone Arsenal. He assumed this command on September 10, 2001, and led during a trying and transformative time in our nation's history. Following that duty, in 2003, he was tapped to command the U.S. Army Space and Missile Defense Command/Army Forces Strategic Command headquartered at Redstone (SMDC/ARSTRAT). He was fully invested not only in the Arsenal, but also in the Huntsville community. He was a leader in the Base Realignment and Closure (BRAC) process on Team Redstone. Following his retirement from his distinguished career in the United States Army, he remained in the community and became the corporate lead executive of Northrop Grumman's Huntsville operations. Men such as General Dodgen are rare; he was a true servant who was fully involved both in his profession and his community. My thoughts and prayers are with his wife, Leslie, and his many friends and family who are mourning at this time. Next month I will join with many others to honor him as he is laid to rest among his fellow heroes at Arlington National Cemetery. We will all truly miss this great man, and are better for having had the opportunity to know him.

HONORING GLOBAL FAMILY DAY FOUNDER LINDA GROVER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. CONYERS. Madam Speaker, on February 20, 2010, we lost a dedicated and tireless voice for the pursuit of peace and global sharing and cooperation, Linda Grover. I joined Ms. Grover in the founding of Global Family Day, an effort to celebrate and promote harmony within the global family every January 1st, but it was Linda whose every undertaking was in the name of Global Family Day.

Linda Grover, an author, writer, and activist, was resolute in her belief that all people, regardless of race, culture, religion, or economic status, celebrate life on earth together as one human family. It was in the promotion of this ideal, that Linda Grover and her children conceived Global Family Day, One Day of Peace and Sharing, an international holiday that would allow people around the world to engage in global fellowship.

Linda's Global Family Day initiatives were supported by the Congress and United Nations. In 2000, the 106th Congress unanimously passed S. Con. Res. 138 and in 2006, the 109th Congress unanimously passed H. Con. Res. 317 and S. Res. 582. These Congressional resolutions urged the President of the United States to issue an annual proclamation calling upon the people of the United States to observe Global Family Day. In 1999 and 2001, United Nations General Assembly resolutions, UNRes54/29 and UNRes56/2, were passed, recognizing a day of peace on January 1st and encouraging Member states to observe the global holiday.

This Congress, I introduced another Global Family Day resolution, H. Con. Res. 221. In this purpose, I was joined by Representative DENNIS KUCINICH and Senators HARRY REID and DANIEL INOUYE. It was Linda's hope, as well as ours, that there finally be a proclamation issued by the President asking that the citizens of the United States celebrate Global Family Day, thereby resulting in the Day's widespread observance.

In advancing Linda Grover's legacy, we will continue to pursue this proclamation and recognize Global Family Day every January 1st. Just as Ms. Grover believed, I think that, despite our differences, each of us has an interest in pursuing peaceful solutions to many of our contemporary world problems. A better appreciation for one another, practiced at the start of a new year, can only lead to the eradication of human suffering that results from violence, hunger, poverty, and other social ills.

Even in the weeks right before she died, Linda worked diligently to spread the Global Family Day message. Linda said, "it's [Global Family Day] is going to improve our global attitude and give us a slightly better chance to overcome all these global crises that are demanding global solutions. Economy, Environment, Energy, Ethnic Enmity, Education, Employment, Epidemics—and those are just the ones that start with the letter E."

Linda's fight and determination to spread the message of peace and sharing through Global Family Day will be missed. However, I will work to make sure that the message is not forgotten. Linda is survived by three children, who I understand will continue their mother's work to champion Global Family Day, and I will join them in this effort. We must all understand, as Linda did, that by working together as one global family, we can better meet the challenges humanity will face in the years to come.

PERSONAL EXPLANATION

HON. JOHN BARROW

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. BARROW. Madam Speaker. I was unable to be present for votes on Monday, February 22, 2010. Had I been present I would have voted "yes" on Rollcall Vote No. 49 and Rollcall Vote No. 50.

NEXT GENERATION CHOICES FOUNDATION: WORKING TO LESSEN CANCER

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. WOLF. Madam Speaker, like so many Americans, my family and I have been touched by cancer. I have worked over the years in Congress as a member of the Congressional Cancer Caucus as well as my service on the Appropriations Committee to support measures to help fight cancer, including historic increases in research funding for the National Institutes of Health, NIH. I have always believed that ensuring adequate funding for medical research on diseases such as cancer is an important priority for the federal government.

There is another important component in the fight against cancer being lead today, Madam Speaker, by Bill Couzens, one of my constituents from Middleburg, Virginia. He heads a grassroots nonprofit organization—the Next Generation Choices Foundation—that he founded over 6 years ago, to build awareness for cancer prevention by reducing environmental exposures both known and suspected to be linked with cancer. After the loss of his sister Anne, mother Joan and several close friends, he felt the need to create an organization that would focus on the root causes of the worldwide cancer epidemic and increase awareness on ways to reduce exposures and choices linked with human health and the environment. He says he learned that there are healthy choices that can be made by individuals and communities to work toward a world

with less cancer, including nutritional food options for families.

Next Generation Choices in turn has formed the Less Cancer Campaign, which has grown to become a worldwide leader in cancer prevention awareness, with over 10,000 members, friends, and fans on Facebook. The reach of the Less Cancer Campaign has been wide; numerous other organizations have followed its lead and collaborated to fan the flame for cancer prevention around the globe. These combined efforts have raised awareness for Less Cancer, not just here in America, but around the world.

The Less Cancer and new Healthy Town campaigns are working to help guide communities and individuals on understanding the importance of making strong choices, and providing information on options and resources available to assist them in making healthy decisions. While most often pointing to options for the consumer, the organization in some rare cases has provided food cards, information for healthy food choices, and even shoes for children who need to get out and move, run and play.

While Mr. Couzens' personal experience inspired his passion to help lessen the grip of cancer on society, he also understood the importance of working with scientists and physicians who have a depth of work in evidenced-based science. Next Generation Choices board of directors includes Ronald B. Herberman, M.D., founding director of the University of Pittsburgh Cancer Institute, associate vice chancellor for cancer research, Hillman professor of oncology, and professor of medicine at the University of Pittsburgh School of Medicine. Dr. Herberman is an internationally recognized tumor immunologist who has made major discoveries in his field and has fostered the application of this information to novel approaches in cancer therapy, diagnosis and prevention. The phenomenon of natural killer, NK, cell-mediated cytotoxicity against tumors was first discovered in Dr. Herberman's laboratory at the National Cancer Institute in the early 1970s. In addition to his pioneering investigation of NK cells, Dr. Herberman has played a leading role in multiple areas of tumor immunology.

Other leaders in science and medicine on the board are Maryann Donovan, Ph.D., the director of the Center for Environmental Oncology at the University of Pittsburgh Cancer Institute, and Thomas M. Sherman, M.D., a gastroenterologist. The board also includes professionals in industry and business. Greg Lam and John Couzens both contribute from their years in business and nonprofit management. Miles M. O'Brien is a 26-year broadcast news veteran. Based in New York City, he owns a production company that creates, produces, and distributes original content across all media platforms. For nearly 17 years he worked as a correspondent, anchor, and producer for CNN based in Atlanta and New York. At various times he was CNN's science, space, aviation, technology, and environment correspondent. Also on the board is Veronique Pittman, a trustee of The Rainforest Foundation and Round Hill Hotels and Villas, and a partner with Rainforest Native, which imports fair-trade ecological products from the Amazon rain forest. In addition, she sits on the Leadership Council of the Green Schools Alliance and is an Advisory Board member of the Sustainable Acai Project and Global Goods Partners.

Next Generation Choices, Less Cancer, and Healthy Town are closely associated with cancer prevention, but also work to reduce all illnesses associated with human health and the environment. As Mr. Couzens has said, "When communities and individuals work to make healthier choices, great strides toward preventing cancer and other illnesses including heart disease, diabetes, and obesity can be made. By educating people and unifying individuals and programs—transformation will occur for the next generation."

Madam Speaker, the battle against cancer will take the work of individuals, communities, businesses and governments, and we salute the effort of Bill Couzens and Next Generation Choices as they raise awareness on ways we can all be involved in this fight.

IN RECOGNITION OF MS. KELLY REFFETT'S YEARS OF SERVICE TO ILLINOIS VALLEY COMMUNITIES

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mrs. HALVORSON. Madam Speaker, I rise to recognize Ms. Kelly Reffett's years of work in community service and disaster relief and to wish her well as she retires from her role as President of the Illinois Valley Federation of Labor.

Ms. Reffett began her career in 1979 as an operator for Ameritech in Canton, IL. After working for Ameritech for twenty years, Kelly joined the American Red Cross of Greater Chicago as Director of Partner Relations and AFL–CIO Labor Participation. For ten years, Kelly worked to expand preparedness education opportunities to diverse populations, served disaster stricken communities, and broadened partnerships with corporations and community organizations.

In this position, she directed teams of nearly 100 people at 23 locations, providing executive guidance and program assistance to on-site supervisors and Volunteer in Service to America members. She also served as Partner Services Manager/Officer and Labor Liaison on 25 national relief operations including Hurricane Katrina and World Trade Center 9/11 operations. She co-developed the AFL–CIO's 2009 handbook outlining guidelines and policies for volunteer disaster relief operations. These accomplishments are only a small sampling of Kelly's impressive career.

In addition to her national service, Kelly was also selected to serve at the state and county level. Since 2003, Kelly has served as a commissioner on the Illinois State Commission on Volunteerism and Community Service. In 2008, she was appointed to serve on the LaSalle County Board. Shortly thereafter, she was elected to that office.

Throughout her long career, Ms. Reffett has also remained dedicated to the cause of working families. Serving as President of the Illinois Valley Federation of Labor for over two decades, she always put the best interests of Illinois Valley workers first.

Ms. Kelly Reffett has had a long and proud career, one that is not ending as she retires from the presidency of the Illinois Valley Federation of Labor. Having worked with her over the years, I am sure she will continue to work to improve her community, as she has done over and throughout her long and successful career.

CONGRATULATING THE TRANSPORTATION TRADES DEPARTMENT ON ITS 20TH ANNIVERSARY

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. OBERSTAR. Madam Speaker, it is my great pleasure to congratulate the Transportation Trades Department, AFL–CIO as this strong voice for transportation workers marks its 20th anniversary.

Transportation is at the core of our daily lives and our economy. From ancient civilization through the present day, the quality of transportation serves as a true measure of a society. How well do people live their daily lives? How quickly and efficiently can people and goods get from one place to another? Does the quality of transportation strengthen or weaken an economy?

As we map the vision for our future, we must keep asking these questions. Are we doing all we can to invest in modern, safe, and efficient transportation? Are the workers in this industry as well-trained, experienced, and prepared as possible? Are they treated with respect and dignity? Are they trusted and empowered? Do their wages and working conditions help—or hurt—the ability to attract and retain good men and women for these jobs?

The work of the Transportation Trades Department (TTD), of the AFL–CIO lies at the heart of these questions. In every major transportation policy debate in Washington over the past 20 years, TTD has been front and center, providing an honest, substantive, and respected voice on behalf of millions of transportation workers. TTD brings their voices to those in public office, helping forge far better policy and decision-making than if the organization did not exist.

TTD has always had the courage and conviction to demand accountability, to make sure that public and private sector transportation leaders are truly placing safety and our national transportation network's true needs ahead of ideology and profit. In an industry—and world—that has been so turbulent in recent years, the value of TTD's vigilant watchdog role is priceless.

As the Chairman of the House Committee on Transportation and Infrastructure, I can count on TTD to bring integrity, intellectual depth, and refreshing clarity to my Committee and the entire Congress. I have long valued TTD as a trusted friend and ally, and its substantive, bipartisan approach has often been helpful in bringing about consensus on important issues.

As my committee has engaged in enacting critical legislation—from the surface transportation bill to the FAA reauthorization bill, from the Coast Guard reauthorization to Amtrak and rail safety reauthorization—TTD has been a comprehensive and credible resource. Its member unions are on the front lines of our transportation network—whether on the ground, in the air or at sea.

The accomplishments of the Transportation Trades Department, AFL–CIO are far too many to enumerate. But to me, ensuring that transportation workers have a seat at the table, and a voice that is heard in key policy debates, has been the organization's greatest contribution to our nation. I congratulate TTD on 20 outstanding years, and look forward to many more.

HONORING MATTIE MEYERS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Mattie Meyers upon being honored with the "Trail Blazers Award" by the African American Museum. Mrs. Meyers will be honored at the African American History Month Celebration and Banquet on Saturday, February 6th, 2010 in Fresno, California.

Mrs. Mattie Meyers was born and raised in Durham, North Carolina. She earned her Bachelor of Science degree in chemistry and mathematics from North Carolina College at Durham (now known as North Carolina Central University) in 1947. Shortly after completing her education, Mrs. Meyers met a young doctor named Earl Meyers, during his residency at Durham's Lincoln Hospital. Mr. Meyers was from a prominent black family in Fresno, California. When Earl and Mattie married, they moved to Fresno.

Upon arriving in Fresno, Dr. Meyers established a medical practice to serve the nonwhite community of Fresno, which did not have medical services that were readily accessible to whites. Mrs. Meyers was the business manager and together they built the first black owned medical center in Fresno, which contained a clinical laboratory, pharmacy, housed an x-ray facility and was home to several African American physicians. Dr. Meyers served as a catalyst in bringing a number of young black physicians to the Fresno area, providing a higher standard of medical care available to African Americans.

While Dr. Meyers continued to focus on the medical disparities, Mrs. Meyers began to recognize different disparities such as segregation within the schools. She joined with the National Association for the Advancement of Colored People (NAACP), and eventually Fresno schools adopted an "open enrollment policy" which made it possible for African American children to attend schools outside of West Fresno. Mrs. Meyers' children were among the first to take advantage of the new policy. Her involvement with the NAACP did not end there; she also served as the President of the Fresno Chapter.

During Mrs. Meyers' term as President of the Fresno Chapter of the NAACP, she was able to orchestrate many achievements and milestones for the growing organization. She served during the early 1960s. She was able to bring Andrew Hatcher, the associate press secretary to President John Kennedy, to Fresno as a featured speaker at the NAACP's second annual banquet. Mr. Hatcher was one of the most influential African Americans in the country at that time. Later, Mrs. Meyers was instrumental in bringing Dr. Martin Luther King, Jr. to Fresno to spearhead a civil rights demonstration and march to Ratcliff Stadium.

Beyond her efforts with the NAACP, Mrs. Meyers was the first African American, and the first woman, to seek election as the Mayor of Fresno. She was not only active in local politics and local civil rights activities; she was also involved with movements around the nation. Mrs. Meyers was influential in the southern United States. She is a founding member of a number of black organizations, including Iota Phi Lambda Sorority.

Mrs. Meyers is the mother of five successful children and grandmother to nine. She is a member of the Westside Seventh Day Adventist Church, lifetime member of the NAACP, charter member of Iota Phi Lambda, a founding member of the Fresno Black Educators Association.

Madam Speaker, I rise today to commend and congratulate Mattie Meyers upon being honored with the "Trail Blazers Award." I invite my colleagues to join me in wishing Mrs. Meyers many years of continued success.

A TRIBUTE TO JOHN M. "MITCH" DORGER

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. SCHIFF. Madam Speaker, I rise today to honor John M. "Mitch" Dorger, who is retiring from his post as Chief Executive Officer of the Pasadena Tournament of Roses Association this month after ten years of exemplary service.

Mitch graduated from the United States Air Force Academy in 1968 with a Bachelor's degree in Political Science. He earned his Master's degree in International Relations from Tufts University and an Executive Master's degree in Business Administration from Claremont Graduate University.

From 1987 to 1989, he served both in the Office of the Assistant to the Undersecretary of the Air Force and as the Deputy Assistant to the Undersecretary. In 1989, he participated in a year-long program of research and studies for military officers as a Research Fellow at the Kennedy School of Government at Harvard University. From 1990 to 1992, Mitch was a Base Commander at the Keesler Technical Training Center and he served as Chief of Staff and then Vice Commander at the United States Air Force Academy from 1992 to 1994.

From 1994 to 2000, Mitch was the Chief Operating Officer at the Claremont University Center, where he oversaw the three hundred and fifty person, thirty million dollar organization which provided support services to the seven colleges in the Claremont consortium.

On February 1, 2000, the Pasadena Tournament of Roses Association appointed Mr. Dorger to the position of Chief Executive Officer. For ten years, Mitch has been an outstanding leader, effectively directing the Tournament of Roses' staff and supporting the nine hundred and thirty-five volunteer members who plan and stage the world-renowned Rose Parade and Rose Bowl Game.

In addition to his duties with the Pasadena Tournament of Roses Association, his volunteer activities include serving on the boards of the International Festival and Events Association, and the Football Bowl Association, as an Advisory Committee Member for the L.A. Sports and Entertainment Commission, on the Advisory Committee for the Sports Business Institute at the University of Southern California, and as an Ex Officio Member of the L.A. Sports Council.

Mitch and his wife, Barbara, have two grown children and one grandson, and they reside in Pasadena, California.

I ask all Members join me in thanking John M. "Mitch" Dorger for over two decades of remarkable leadership and dedicated service to our community and our country.

CONGRATULATING THE TRANSPORTATION TRADES DEPARTMENT ON ITS TWENTIETH ANNIVERSARY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. GEORGE MILLER of California. Madam Speaker, I would like to congratulate the Transportation Trades Department (TTD), AFL–CIO on its twentieth anniversary as an invaluable advocate for our nation's transportation workers. As the Chairman of the House Committee on Education and Labor, I have seen the critical role that TTD plays in making heard the voices of those on the front lines of our nation's transit system.

TTD is a leader in ensuring that an industry as safety- and customer service-intensive as transportation has the most well-trained and experienced workforce possible. TTD has enabled employees in this industry to present a unified and effective voice, one that helps make policymakers aware of the needs and concerns of the people who form the backbone of the industry. TTD serves as an important check and balance guaranteeing that financial pressures do not lead to cutting corners on safety and security and ensuring that those in government carry out their vital oversight responsibilities in a thorough and effective manner. Our nation owes transportation workers and their representatives a debt of gratitude on these issues.

TTD's fight for workplace fairness has most recently turned to a proposed rule change at the National Mediation Board (NMB) which would allow a majority of voting employees to prevail in a union election under the Railway Labor Act. Currently, the NMB treats non-participating voters as opponents of forming a union. This current rule clearly contradicts the standards under which elections are conducted in this country. It is a matter of basic fairness that workers covered under this Act not have lesser rights than employees in other industries. With the transportation industry facing great uncertainty and change, it is more important than ever that workers have a fair and full voice in the workplace.

TTD serves an essential role in our nation's labor and transportation policy debates. In a responsible and effective manner, they help policymakers remember the needs and concerns of the women and men whose work contributes so much to our national economy. I congratulate the Transportation Trades Department, AFL–CIO on its many accomplishments over the past 20 years, and look forward to continuing to work with them on

issues of profound public interest, ranging from safety to rebuilding and strengthening our nation's middle class.

HONORING THE COURAGE AND DETERMINATION OF VIRGIL HAWKINS

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. GRAYSON. Madam Speaker, I rise today to pay tribute to the courageous civil rights hero Virgil Hawkins. Mr. Hawkins was the leader in the fight for the desegregation of Florida's universities. Mr. Hawkins is a true role model for his determination and personal sacrifice.

Born in 1906 in Okahumpka, Florida, Mr. Hawkins decided from a young age that he wanted to be a lawyer after witnessing the unfair treatment of African Americans in the judicial system. Mr. Hawkins graduated high school in Jacksonville, Florida, and attended Lincoln University in Pennsylvania. By the time Mr. Hawkins was 42, he had saved up enough money to attend law school by selling insurance and working as a school teacher. In 1949, he applied to the University of Florida Law School in Gainesville.

At the time Mr. Hawkins applied, it was against Florida law for African Americans and whites to attend school together. Mr. Hawkins was denied admission because of the color of his skin, not because he did not meet the qualifications. He decided to challenge this unjust practice by filing suit with the state Supreme Court. The state offered to pay Mr. Hawkins tuition for an out of state school, but he refused. To prevent similar lawsuits the state opened a law school for African Americans at the Florida Agricultural and Mechanical College (FAMC) for Blacks in Tallahassee. In 1952, the Florida Supreme Court dismissed his case, arguing he could attend FAMC. Mr. Hawkins turned to the United States Supreme Court and in 1956 the Court ordered the state of Florida to admit Mr. Hawkins to the University of Florida Law School. Initially, the state did not comply with the Supreme Court's order, citing the violence that would erupt if Mr. Hawkins was admitted. Finally, a district court judge ordered the University of Florida graduate school to open its doors to all qualified students, regardless of race. This was a major step forward in Mr. Hawkins's struggle; unfortunately, University of Florida claimed he was not qualified and did not admit him.

After a nine-year struggle to desegregate Florida universities, Mr. Hawkins attended the unaccredited New England School of Law in Boston, Massachusetts. Due to the lack of accreditation of the law school, he was not allowed to take the bar when he returned to Florida. Mr. Hawkins was not allowed to practice law and worked as a salesman, teacher, a public relations director, and as the director of a community action agency.

Holding on to his dream to practice law, at the age of 69, Mr. Hawkins asked the Florida Supreme Court to admit him to the Florida bar. In 1976, the court allowed Mr. Hawkins to become a lawyer without taking the bar examination. After spending 30 years fighting the discriminatory foundations in the educational system, Mr. Hawkins opened his own law firm in Leesburg, Florida.

Today the law library at the University of Florida is named the Virgil Hawkins Library in honor of the sacrifices he made in his struggle for justice and equality in the admissions processes of the state's university system. A monument honoring Virgil Hawkins stands in his hometown of Okahumpka, Florida, and is located a few blocks from his childhood home. These are just minor tributes to a man who contributed so much to the civil rights struggle in Central Florida, and America as a whole.

Madam Speaker, as Black History Month comes to a close, it is with great honor that I recognize the incredible activism of this civil rights leader. Mr. Hawkins's lifelong struggle for justice is inspirational to all future generations of Floridians, and Americans. As a fellow lawyer, I admire his dedication to seek justice and equal educational opportunities for all. Florida is indebted to Mr. Hawkins for the personal sacrifices and the pathways to equal access to education in the desegregation of our school systems.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 25, 2010 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 26

9:30 a.m.
Veterans' Affairs
To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Veterans Affairs.
SR–418

10 a.m.
Finance
To hold hearings to examine the nominations of Jeffrey Alan Goldstein, of New York, to be Under Secretary of the Treasury, Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade, and Sherry Glied, of New York, to be Assistant Secretary of Health and Human Services.
SD–215

Judiciary
To hold hearings to examine the Office of Professional Responsibility Investigation into the Office of Legal Counsel Memoranda.
SD–226

10:30 a.m.
Joint Economic Committee
To hold hearings to examine the road to economic recovery, focusing on prospects for jobs and growth.
2325, Rayburn Building

MARCH 2

9:30 a.m.
Banking, Housing, and Urban Affairs
Economic Policy Subcommittee
To hold hearings to examine restoring credit, focusing on proposals to fix small business borrowing and lending problems.
SD–538

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine Toyota's recalls and the government's response.
SR–253

Judiciary
Human Rights and the Law Subcommittee
To hold hearings to examine global internet freedom and the rule of law, part II.
SD–226

2 p.m.
Veterans' Affairs
To hold hearings to examine a legislative presentation from Disabled Veterans of America.
345, Cannon Building

2:30 p.m.
Intelligence
To hold closed hearings to consider certain intelligence matters.
SH–219

MARCH 3

9:30 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine chemical security, focusing on assessing progress and charting a path forward.
SD–342

Appropriations
Interior, Environment, and Related Agencies Subcommittee
To examine the President's proposed budget estimates for fiscal year 2011 for the Environmental Protection Agency.
SD–124

Veterans' Affairs
To hold an oversight hearing to examine mental health care and suicide prevention for veterans.
SR–418

10 a.m.
Energy and Natural Resources
Business meeting to consider any pending nominations; to be immediately followed by a hearing to examine the President's proposed budget request for fiscal year 2011 for the Department of the Interior.
SD–366

Environment and Public Works
To hold hearings to examine transportation investments relative to the national economy and jobs.
SD–406

Finance
To hold hearings to examine the 2010 trade agenda.
SD–215

Judiciary
To hold hearings to examine encouraging innovative and cost-effective crime reduction strategies.
SD–226

Commerce, Science, and Transportation
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee
To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the National Oceanic and Atmospheric Administration and Fisheries Enforcement Programs and Operations.
SR–253

2:30 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine oversight challenges in the Medicare prescription drug program.
SD–342

MARCH 4

9:30 a.m.
Armed Services
To hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Air Force in review of the Defense Authorization and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SH–216

Veterans' Affairs
To hold hearings to examine legislative presentations from the Paralyzed Veterans of America, Jewish War Veterans, Military Order of the Purple Heart, Ex-Prisoners of War, Blinded Veterans Association, Military Officers Association of America, Air Force Sergeants Association, and the Wounded Warrior Project.
345, Cannon Building

2:30 p.m.
Intelligence
To hold closed hearings to consider certain intelligence matters.
SH–219

MARCH 9

9:30 a.m.
Armed Services
To hold hearings to examine U.S. European Command, U.S. Africa Command, and U.S. Joint Forces Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SR–222 following the open session.
SH–216

Veterans' Affairs
To hold hearings to examine a legislative presentation from Veterans of Foreign Wars.
SDG–50

MARCH 10

10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the lessons and implications of the Christmas day attack, focusing on watchlisting and pre-screening.
SD–342

2:30 p.m.
Foreign Relations
International Operations and Organizations, Human Rights, Democracy and Global Women's Issues Subcommittee
To hold hearings to examine the future of U.S. public diplomacy.
SD–419

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 2895, to restore forest landscapes, protect old growth forests, and manage national forests in the eastside forests of the State of Oregon, S. 2907, to establish a coordinated avalanche protection program, S. 2966 and H.R. 4474, bills to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and S. 2791 and H.R. 3759, bills to authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers.
SD–366

MARCH 11

9:30 a.m.
Armed Services
To hold hearings to examine U.S. Northern Command and U.S. Southern Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program;

with the possibility of a closed session in SR–222 following the open session.

SD–G50

10 a.m.

Energy and Natural Resources

To hold hearings to examine S. 1696, to require the Secretary of Energy to conduct a study of video game console energy efficiency, and S. 2908, to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters.

SD–366

MARCH 16

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Special Operations Command and U.S. Central Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SH–216

2 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine assessing foster care and family services in the District of Columbia, focusing on challenges and solutions.

SD–342

MARCH 18

9:30 a.m.

Veterans' Affairs

To hold hearings to examine legislative presentations from AMVETS, National Association of State Directors of Veterans Affairs, Non Commissioned Officers Association, Gold Star Wives, The Retired Enlisted Association, Fleet Reserve Association, Vietnam Veterans of America, and Iraq and Afghanistan Veterans of America.

SDG–50

MARCH 23

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Pacific Command, U.S. Strategic Command, and U.S. Forces Korea in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SH–216

MARCH 24

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine Veterans' Affairs plan for ending homelessness among veterans.

SR–418

Daily Digest

HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2847, Commerce, Justice, and Science, and Related Agencies Appropriations Act. (The legislative vehicle entitled, "Jobs for Main Street Act".)

Senate

Chamber Action

Routine Proceedings, pages S717–755

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 3028–3037, S.J. Res. 28, and S. Res. 421. **Pages S742–43**

Measures Reported:

S. Res. 404, supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan.

S. Res. 414, expressing the Sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti. **Page S740**

Measures Passed:

Medicare Physician Payment Reform Act: Senate passed H.R. 3961, to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011, after agreeing to the following amendments proposed thereto: **Pages S736–37**

Reid Amendment No. 3331, in the nature of a substitute. **Page S737**

Reid Amendment No. 3332, to amend the title. **Page S737**

National Guard Youth Challenge Day: Senate agreed to S. Res. 421, supporting the goals and ideals of "National Guard Youth Challenge Day". **Page S753**

House Messages:

Commerce, Justice, Science, and Related Agencies Appropriations Act: By 70 yeas to 28 nays (Vote No. 25), Senate agreed to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, with Reid Amendment No. 3310 (to the House amendment to the Senate amendment), in the nature of a substitute, after taking action on the following motion and amendment proposed thereto: **Pages S718–25**

Withdrawn:

Reid Amendment No. 3311 (to Amendment No. 3310), to change the enactment date. **Page S725**

During consideration of this measure today, Senate also took the following action: By 62 yeas to 34 nays (Vote No. 24), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 201(a) of S. Con. Res. 21, FY08 Congressional Budget Resolution, with respect to Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 3310 (to the House Amendment to the Senate Amendment), in the nature of a substitute. The point of order that the amendment was in violation of section 201(a) of S. Con. Res. 21, FY08 Congressional Budget Resolution, was not sustained. **Pages S724–25**

United States Capitol Police Administrative Technical Corrections Act: Senate began consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 1299, to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, taking action of the following motions and amendments proposed thereto: **Pages S725–32**

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S726**

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 3326 (to to the House amendment to the Senate amendment), to change the enactment date. **Page S726**

Reid Amendment No. 3327 (to Amendment No. 3326), of a perfecting nature. **Page S726**

Reid motion to refer in the amendment of the House to the amendment of the Senate to the Committee on Rules and Administration, with instructions, Reid Amendment No. 3328, to provide for a study. **Page S726**

Reid Amendment No. 3329 (to the instructions (Amendment No. 3328) of the motion to refer), of a perfecting nature. **Page S726**

Reid Amendment No. 3330 (to Amendment No. 3329), of a perfecting nature. **Page S726**

A motion was entered to close further debate on the motion to concur in the amendment of the House to the amendment of the Senate to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, February, 26, 2010. **Page S726**

A unanimous-consent agreement was reached providing for further consideration of the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill at approximately 10 a.m., on Thursday, February 25, 2010. **Page S753**

Appointments:

National Commission on Fiscal Responsibility and Reform: The Chair announced, on behalf of the Majority Leader, pursuant to Executive Order No. 13531, the appointment of the following to the National Commission on Fiscal Responsibility and Reform: Senators Durbin, Baucus, and Conrad. **Page S753**

Nominations Received: Senate received the following nominations:

Robert Neil Chatigny, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

William Joseph Martinez, of Colorado, to be United States District Judge for the District of Colorado.

Gary Scott Feinerman, of Illinois, to be United States District Judge for the Northern District of Illinois.

Sharon Johnson Coleman, of Illinois, to be United States District Judge for the Northern District of Illinois.

Wifredo A. Ferrer, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

Laura E. Duffy, of California, to be United States Attorney for the Southern District of California for a term of four years.

Alicia Anne Garrido Limtiaco, of Guam, to be United States Attorney for the District of Guam and concurrently United States Attorney for the District of the Northern Mariana Islands for the term of four years.

John B. Stevens, Jr., of Texas, to be United States Attorney for the Eastern District of Texas for the term of four years.

John Dale Foster, of West Virginia, to be United States Marshal for the Southern District of West Virginia for the term of four years.

Gary Michael Gaskins, of West Virginia, to be United States Marshal for the Northern District of West Virginia for the term of four years.

Paul Ward, of North Dakota, to be United States Marshal for the District of North Dakota for the term of four years.

Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

Deborah Loewenberg Ball, of Michigan, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

Eduardo M. Ochoa, of California, to be Assistant Secretary for Postsecondary Education, Department of Education.

Margaret R. McLeod, of the District of Columbia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

Bridget Terry Long, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

Stephen T. Ayers, of Maryland, to be Architect of the Capitol for the term of ten years.

2 Army nominations in the rank of general.

Routine lists in the Coast Guard, and Foreign Service. **Pages S753–55**

Messages from the House: **Page S739**

Measures Referred: **Page S739**

Executive Communications: **Pages S739–40**

Executive Reports of Committees: **Pages S740–42**

Additional Cosponsors: **Page S743**

Statements on Introduced Bills/Resolutions: **Pages S744–51**

Additional Statements: **Pages S738–39**

Amendments Submitted: **Pages S751–52**

Notices of Intent: **Page S752**

Notices of Hearings/Meetings: **Page S752**

Authorities for Committees to Meet: **Pages S752–53**

Record Votes: Two record votes were taken today. (Total—25) **Pages S724–25, S725**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:19 p.m., until 10 a.m. on Thursday, February 25, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S753.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF STATE AND FOREIGN OPERATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs concluded a hearing to examine proposed budget estimates for fiscal year 2011for the Department of State and foreign operations, after receiving testimony from Hillary Rodham Clinton, Secretary of State.

APPROPRIATIONS: HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Homeland Security, after receiving testimony from Janet Napolitano, Secretary of Homeland Security.

COUNTERINSURGENCY

Committee on Armed Services: Committee concluded a hearing to examine contracting in a counterinsurgency, focusing on an examination of Blackwater-Paravant contract and the need for oversight, after receiving testimony from Steven M. Ograyensek, Contracting Officer, and James T. Blake, Program Executive Officer and Head of Contracting Activity, both of the Program Executive Office for Simulation, Training, and Instrumentation, U.S. Army, and Colonel Bradley V. Wakefield, USA, (Ret.), former Chief of Training and Education, Combined Security Transition Command—Afghanistan, all of the Department of Defense; John R. Walker, former Program Manager, Paravant, Gilbert, Arizona; Brian C. McCracken, Raytheon Technical Services Company, Washington, D.C.; and Fred Roitz, Xe Services LLC, Moyack, North Carolina.

DEPARTMENT OF TRANSPORTATION BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Department of Transportation, after receiving testimony from Ray LaHood, Secretary of Transportation.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space concluded a hearing to examine the challenges and opportunities in the National Aeronautics and Space Administration (NASA) fiscal year 2011 budget proposal, after receiving testimony from Charles F. Bolden, Jr., Administrator, National Aeronautics and Space Administration; Miles O'Brien, ''This Week in Space'', New York, New York; Robert Gibson, Murfreesboro, Tennessee; Michael J. Snyder, Friendswood, Texas; and A. Thomas Young, Onancock, Virginia.

FOREST SERVICE BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Forest Service, after receiving testimony from Tom Tidwell, Chief, Forest Service, Department of Agriculture.

LAKE TAHOE BASIN

Committee on Environment and Public Works: Committee with the Subcommittee on Water and Wildlife concluded a joint hearing to examine S. 2724, to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, after receiving testimony from Senators Feinstein, Cantwell, Reid and Ensign; Peter Silva, Assistant Administrator, Office of Water, Environmental Protection Agency; Harris Sherman, Undersecretary of Agriculture for Natural Resources and Environment; Patrick Wright, California Tahoe Conservancy, South Lake Tahoe; David D. Dicks, Puget Sound Partnership, Olympia, Washington; Alexander B. Grannis, New York State Department of Environmental Conservation Commissioner, and John R. Tauzel, New York Farm Bureau, both of Albany; Debrah Marriott, Lower Columbia River Estuary Partnership, Portland, Oregon; and David Naftzger, Council of Great Lakes Governors, and David A. Ullrich, Great Lakes and St. Lawrence Cities Initiative, both of Chicago, Illinois.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. Res. 414, expressing the Sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti;

S. 2961, to provide debt relief to Haiti;

S. Res. 400, urging the implementation of a comprehensive strategy to address instability in Yemen, with amendments;

S. Res. 404, supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan; and

The nominations of Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency, Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank, Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund, Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development, Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia, Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago, Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal, Harry K. Thomas, Jr., of

New York, to be Ambassador to the Republic of the Philippines, David Adelman, of Georgia, to be Ambassador to the Republic of Singapore, Rosemary Anne DiCarlo, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations, and to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations, Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, and to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, Allan J. Katz, of Florida, to be Ambassador to the Portuguese Republic, Ian C. Kelly, of Maryland, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, and Judith Ann Stewart Stock, of Virginia, to be Assistant Secretary for Educational and Cultural Affairs, all of the Department of State, and a promotion list in the Foreign Service.

FOREIGN POLICY PRIORITIES

Committee on Foreign Relations: Committee concluded a hearing to examine foreign policy priorities in the fiscal year 2011 International Affairs budget, after receiving testimony from Hillary Rodham Clinton, Secretary of State.

DEPARTMENT OF HOMELAND SECURITY BUDGET

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the proposed budget request for fiscal year 2011 for the Department of Homeland Security, after receiving testimony from Janet Napolitano, Secretary of Homeland Security.

WORKFORCE INVESTMENT SYSTEM

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine a stronger workforce investment system for a stronger economy, after receiving testimony from Anthony P. Carnevale, Georgetown University Center on Education and the Workforce, Washington, D.C.; Cheryl Feldman, Training and Upgrading Fund, Philadelphia, Pennsylvania; Paul Stalknecht, Air Conditioning Contractors of America, Arlington, Virginia; Joseph M. Carbone, The WorkPlace, Inc., Bridgeport, Connecticut; and Robert G. Templin, Jr., Northern Virginia Community College, Annandale, Virginia.

CHILD PROSTITUTION AND SEX TRAFFICKING

Committee on the Judiciary: Subcommittee on Human Rights and the Law concluded a hearing to examine child prostitution and sex trafficking in the United States, including S. 2925, to establish a grant program to benefit victims of sex trafficking, after receiving testimony from Senator Wyden; Luis CdeBaca, Ambassador-at-Large, Office to Monitor and Combat Trafficking In Persons, Department of State; Beth Phillips, United States Attorney, Western District of Missouri, Kansas City; Anita Alvarez, Cook County State Attorney, Chicago, Illinois; and Rachel Lloyd, Girls Educational and Mentoring Services, New York, New York.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Brian Anthony Jackson, to be United States District Judge for the Middle District of Louisiana, and Elizabeth Erny Foote, to be United States District Judge for the Western District of Louisiana, who were both introduced by Senator Landrieu, Marc T. Treadwell, to be United States District Judge for the Middle District of Georgia, who was introduced by Senator Chambliss, Josephine Staton Tucker, to be United States District Judge for the Central District of California, and Mark A. Goldsmith, to be United States District Judge for the Eastern District of Michigan, who was introduced by Senators Levin and Stabenow, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 4674–4688; and 6 resolutions, H. Con. Res. 239; and H. Res. 1103–1104, 1106–1108 were introduced. **Pages H832–33**

Additional Cosponsors: **Pages H833–34**

Report Filed: A report was filed today as follows:

H. Res. 1105, providing for consideration of the bill (H.R. 2701) to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules (H. Rept. 111–419). **Page H832**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, February 23rd:

Honoring the life of Miep Gies: H. Res. 1074, to honor the life of Miep Gies, who aided Anne Frank's family while they were in hiding and preserved her diary for future generations, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 61; **Pages H769–70**

Expressing the sense of the House of Representatives on religious minorities in Iraq: H. Res. 944, amended, to express the sense of the House of Representatives on religious minorities in Iraq, by a ⅔ recorded vote of 415 ayes to 3 noes, Roll No. 62; and **Pages H770–71**

Agreed to amend the title so as to read: "Expressing the sense of the House of Representatives on the protection of members of vulnerable religious and ethnic minority communities in Iraq.". **Page H771**

Honoring and celebrating the contributions of African-Americans to the transportation and infrastructure of the United States: H. Res. 1085, to honor and celebrate the contributions of African-Americans to the transportation and infrastructure of the United States, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 65. **Page H791**

Health Insurance Industry Fair Competition Act: The House passed H.R. 4626, to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, by a yea-and-nay vote of 406 yeas to 19 nays, Roll No. 64. **Pages H761–69, H771**

Rejected the Smith (TX) motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with amendments, by a yea-and-nay vote of 170 yeas to 249 nays, Roll No. 63. **Pages H787–90**

H. Res. 1098, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 238 yeas to 181 nays, Roll No. 60, after the previous question was ordered without objection. **Pages H761–69**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Recognizing the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism: H. Con. Res. 238, to recognize the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation. **Pages H791–94**

Senate Messages: Messages received from the Senate today appear on page H816.

Senate Referrals: S. 30 was referred to the Committee on Energy and Commerce. **Page H831**

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H769, H770, H770–71, H789–90, H790–91, H791. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:45 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Fiscal Year 2011 Budget for the Department of Agriculture. Testimony was heard from Tom Vilsack, Secretary of Agriculture.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies held a hearing on Fiscal Year 2011 Budget for the Legal Services Corporation. Testimony was heard from the following officials of the Legal Services Corporation: Victor M. Fortuno, Interim President and General Counsel; and Frank B. Strickland, Chairman, Board of Directors.

The Subcommittee also held a hearing on Fiscal Year 2011 Budget for Science and Technology. Testimony was heard from John P. Holdren, Science Adviser to the President.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Combat Aircraft Requirements. Testimony was heard from the followng officials of the Department of Defense: RDM David L. Philman, USN, Director, Air Warfare Division; and MG David Scott, USAF, Director, Operational Capability Requirements/Deputy Chief of Staff, Operations, Plans and Requirements.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on U.S. Corps of Engineers, Fiscal Year 2011 Budget. Testimony was heard from the following officials of Department of the Army: Jo Ellen Darcy, Assistant Secretary, Civil Works; and LTG Robert Van Antwerp, Chief of Engineers, U.S. Corps of Engineers.

FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services, and General Government held a hearing on Fiscal Year 2011 Budget for the IRS. Testimony was heard from Douglas Shulman, Commissioner, IRS, Department of the Treasury.

INTERIOR AND ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Environment, and Related Agencies held a hearing on Protecting Public Health and the Environment: EPA FY 2011 Budget Request. Testimony was heard from Lisa Jackson, Administrator, EPA.

LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held an appropriations hearing. Testimony was heard from Members of Congress and public witnesses.

MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing on the American Battle Monuments Commission. Testimony was heard from Max Cleland, Secretary, American Battle Monuments Commission.

The Subcommittee also held a hearing on U.S. Court of Appeals for Veterans Claims. Testimony was heard from Judge Bruce E. Kasold, U.S. Court of Appeals for Veterans Claims.

The Subcommittee also held a hearing on Arlington National Cemetery and the Armed Forces Retirement Home. Testimony was heard from Jo Ellen Darcy, Assistant Secretary of the Army for Civil Works; and Timothy C. Cox, Chief Operating Officer, Armed Forces Retirement Home.

FY 2011 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FROM NAVY DEPARTMENT

Committee on Armed Services: Held a hearing on Fiscal Year 2011 National Defense Authorization Budget Request from the Department of the Navy. Testimony was heard from the following officials of the Department of the Navy: Ray Mabus, Secretary; ADM Gary Roughead, USN, Chief of Naval Operations; and GEN James T. Conway, USMC, Commandant, U.S. Marine Corps.

ENERGY MANAGEMENT AND INITIATIVES ON MILITARY INSTALLATIONS

Committee on Armed Services: Subcommittee on Readiness held a hearing on energy management and initiatives on military installations. Testimony was heard from the following officials of the Department of Defense: Dorothy Robyn, Deputy Under Secretary, Installations and Environment; L. Jerry Hansen, Army Senior Energy Executive, Senior Official Performing Duties as the Assistant Secretary of the Army, Installations and Environment, Department of the Army; Roger M. Natsuhara, Acting Assistant Secretary, Installations and Environment, Department of the Navy; and Debra K. Tune, Performing the Duties of the Assistant Secretary of the Air Force, Installations, Environment and Logistics.

TREASURY DEPARTMENT FY 2011 BUDGET

Committee on the Budget: Held a hearing on the Treasury Department Fiscal Year 2011 Budget. Testimony was heard from Timothy F. Geithner, Secretary of the Treasury.

ALL-STAR ACT OF 2009

Committee on Education and Labor: Held a hearing on H.R. 4330, ALL-STAR Act of 2009. Testimony was heard from public witnesses.

COMMERCIAL COLLECTION AND USE OF LOCATION INFORMATION

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection and the Subcommittee on Communications, Technology and the Internet held a joint hearing on The Collection and Use of Location Information for Commercial Purposes. Testimony was heard from public witnesses.

ANTHEM BLUE CROSS PREMIUM HIKE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Premium Increases by Anthem Blue Cross in the Individual Health Insurance Market.'' Testimony was heard from public witnesses.

MONETARY POLICY—STATE OF THE ECONOMY

Committee on Financial Services: Held a hearing on the Chairman of the Board of Governors of the Federal Reserve System on Monetary Policy and the State of the Economy. Testimony was heard from Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System.

IRAQ RECONSTRUCTION LESSONS

Committee on Foreign Affairs: Subcommittee on International Organizations, Human Rights and Oversight held an oversight hearing on Hard Lessons Learned in Iraq and Benchmarks for Future Reconstruction Efforts. Testimony was heard from Stuart W. Bowen, Jr., Special Inspector General, Iraq Reconstruction, Office of the Special Inspector General, Iraq Reconstruction.

RECENT FBI INSPECTOR GENERAL REPORTS

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on Recent Inspector General Reports Concerning the FBI. Testimony was heard from the following officials of the Department of Justice: Glenn A. Fine, Office of the Inspector General; Margaret Gulotta, Section Chief, Language Services Section, Directorate of Intelligence, FBI; and Jennifer Shasky Calvery, Senior Counsel to the Deputy Attorney General.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 4003, amended, Hudson River Valley Special Resource Study Act; H.R. 4192, amended, Stornetta Public Lands Outstanding Natural Area Act of 2009; H.R. 4252, Inland Empire Perchlorate Ground Water Plume Assessment Act of 2009; H.R. 1769, amended, Alpine Lakes Wilderness Additions and Pratt and Middle Fork Snoqualmie Rivers Protection Act; H.R. 2788, Distinguished Flying Cross National Memorial Act; and H.R. 4395, amended, to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station.

GEOTHERMAL PRODUCTION EXPANSION ACT

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 3709, Geothermal Production Expansion Act. Testimony was heard from Representative Inslee; Marcilynn Burke, Deputy Director, Bureau of Land Management, Department of the Interior; and public witnesses.

NOAA/INTERIOR DEPARTMENTS BUDGET

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife held an oversight hearing on the President's Fiscal Year 2011 budget requests for the NOAA, the U.S. Office of Insular Affairs, and the U.S. Fish and Wildlife Service. Testimony was heard from Togiola T.A. Tulafono, Governor, American Samoa; Anthony M. Babauta, Assistant Secretary, Insular Affairs, Department of the Interior; and Mary M. Glackin, Deputy Under Secretary, Oceans and Atmosphere, Department of Commerce.

TOYOTA GAS PEDALS

Committee on Oversight and Government Reform: Held a hearing entitled ''Toyota Gas Pedals: Is the Public At Risk?'' Testimony was heard from Raymond H. LaHood, Secretary of Transportation; Joan Claybrook, former Administrator, National Highway Traffic Safety Administration; the following officials of Toyota Motor Corporation: Akio Toyoda, President and CEO; and Yoshimi Inaba, President and CEO, Toyota Motor North America, Inc., and public witnesses.

CENSUS MEDIA PLAN

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census, and National Archives held a hearing entitled ''The 2010 Census Communications Contract: The Media Plan in Hard to Count Areas.'' Testimony was heard from Robert Groves, Director, Bureau of the Census, Department of Commerce; and public witnesses.

MILITARY SEXUAL ASSAULTS

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs continued hearings entitled " Sexual Assault in the Military: Are We Making Progress?" Testimony was heard from the following officials of the GAO: Brenda S. Farrell, Director, Defense Capabilities and Management; and Randolph Hite, Director, Information Technology and Architecture and Systems; the following officials of the Department of Defense: Louis Isiello, Co-Chairman; and BG Sharon K.G. Dunbar, USAF, both with the Task Force on Sexual Assault in the Military Service; Kaye Whitely, Director, Sexual Assault Prevention and Response Office, Office of the Secretary; and Gail McGinn, Deputy Under Secretary (Plans); and a public witness.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010

Committee on Rules: granted, by a non-record vote, a structured rule providing for consideration of H.R. 2701, the "Intelligence Authorization Act for Fiscal Year 2010". The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill except those arising under clause 9 of rule XXI.

The rule provides that the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute.

The rule further makes in order only those amendments printed in the report of the Committee on Rules. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments made in order are waived except those arising under clause 9 or 10 of rule XXI.

The rule provides one motion to recommit with or without instructions. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Permanent Select Committee on Intelligence or a designee. The rule provides that the Chair may not entertain a motion to strike out the enacting words of the bill. The rule provides that after passage of H.R. 2701, it shall be in order to consider in the House S. 1494. The rule waives all points of order against the Senate bill and against its consideration. The rule provides that it shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 2701 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment to S. 1494 and request a conference with the Senate.

The rule waives clause 6(a) of rule XII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any resolution reported from the Rules Committee through the legislative day of Friday, February 26, 2010. The rule authorizes the Speaker to entertain motions that the House suspend the rules at any time through the legislative day of Friday, February 26, 2010. The Speaker or her designee shall consult with he Minority Leader or his designee on the designation of any matter for consideration pursuant to this authority. Testimony was heard from Chairman Reyes and Representatives Hastings (FL), Kucinich, Walz, Thornberry, Inglis, and Kirk.

RESEARCH AND DEVELOPMENT BUDGET PROPOSAL

Committee on Science and Technology: Held a hearing on the Administration's Fiscal Year 2011 Research and Development Budget Proposal. Testimony was heard from John Holdren, Assistant to the President for Science and Technology and Director, Office of Science and Technology Policy.

BIOMEDICAL RESEARCH

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on How Can NIST Better Serve the Needs of the Biomedical Research Community in the 21st Century? Testimony was heard from public witnesses.

AIRCRAFT ICING

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on Aircraft Icing. Testimony was heard from John Hickey, Deputy Associate Administrator, Aviation Safety, FAA, Department of Transportation; Deborah A.P. Hersman, Chairman, National Transportation Safety Board; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and public witnesses.

MEDICATIONS AND VETERAN SUICIDE

Committee on Veterans' Affairs: Held a hearing Exploring the Relationship between Medication and Veteran Suicide. Testimony was heard from Ira Katz,

M.D., Deputy Chief Officer, Mental Health Services, Office of Patient Care Services, Veterans Health Administration, Department of Veterans Affairs; BG Loree K. Sutton, M.D., Director, Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, Department of Defense; and public witnesses.

VA BENEFITS DELIVERY AT DISCHARGE

Committee on Veterans Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing Examination of the VA Benefits Delivery at Discharge and Quick Start Programs. Testimony was heard from Daniel Bertoni, Director, Education Workforce, and Income Security Issues, GAO; Noel Koch, Deputy Under Secretary, Office of Wounded Warrior Care and Transition Policy, Department of Defense; Diana Rubens, Associate Deputy Under Secretary, Field Operations, Veterans Benefits Administration, Department of Veterans Affairs; and representatives of veterans organizations.

BRIEFING—GOOGLE HACKING INCIDENT

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on the Google Hacking Incident. The Committee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 25, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the semiannual Monetary Policy Report to the Congress, 9 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine aviation safety, focusing on one year after the crash of flight 3407, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold an oversight hearing to examine the science and policy behind the Federal framework and non-Federal efforts to prevent introduction of the aquatic invasive Asian carp into the Great Lakes, 10:30 a.m., SD–366.

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine interagency contracts (part I), focusing on an overview and recommendations for reform, 2:30 p.m., SD–342.

Committee on Indian Affairs: to hold an oversight hearing to examine the President's proposed budget request for fiscal year 2011 for tribal programs and initiatives, 2:15 p.m., SD–628.

Committee on the Judiciary: business meeting to consider S. 1789, to restore fairness to Federal cocaine sentencing, S. 1132, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, S. 2772, to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety, H.R. 1741, to require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs, S. 1624, to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, S. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 1554, to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, and the nominations of Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General, William Joseph Hochul, Jr., to be United States Attorney for the Western District of New York, and Sally Quillian Yates, to be United States Attorney for the Northern District of Georgia, all of the Department of Justice, and Gloria M. Navarro, to be United States District Judge for the District of Nevada, Audrey Goldstein Fleissig, to be United States District Judge for the Eastern District of Missouri, Lucy Haeran Koh, to be United States District Judge for the Northern District of California, Jon E. DeGuilio, to be United States District Judge for the Northern District of Indiana, and Jane E. Magnus-Stinson and Tanya Walton Pratt, both to be United States District Judge for the Southern District of Indiana, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: business meeting to consider S. 2989, to improve the Small Business Act, 10 a.m., SR–485.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Defense, executive, on Fort Hood, 2 p.m., H–140 Capitol.

Subcommittee on Homeland Security, on Fiscal Year 2011 Budget for the Department of Homeland Security, 10 a.m., 2359 Rayburn, and on Biosurveillance: Smart Investments for Early Warning, 2 p.m., 2362–B Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on Restoring America's Forests and Headwaters: Fiscal Year 2011 Budget for U.S. Forest Service, 9:30 a.m., B–308 Rayburn.

Subcommittee State, Foreign Operations and Related Programs, on Fiscal Year 2011 Budget for the Department of State, 1 p.m., 2359 Rayburn.

Committee on Armed Services, hearing on Fiscal Year 2011 National Defense Authorization Budget Request from the Department of the Army, 10 a.m., 2118 Rayburn.

Defense Acquisition Reform Panel, hearing on expert perspectives on managing the defense acquisition system and the defense acquisition workforce, 8 a.m., 2261 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on private sector perspectives on Department of Defense information technology and cybersecurity activities, 2 p.m., 2118 Rayburn.

Committee on the Budget, hearing on the Department of Education Fiscal Year 2011 Budget, 10 a.m., 210 Cannon.

Committee on Energy and Commerce, Subcommittee on Energy and Environment, hearing entitled ''Endocrine Disrupting Chemicals in Drinking Water: Risks to Human Health and the Environment,'' 9:30 a.m., 2322 Rayburn.

Committee on Financial Services, hearing entitled ''Compensation in the Financial Industry-Government Perspectives,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Promoting Security through Diplomacy and Development: The Fiscal Year 2011 International Affairs Budget, 9:30 a.m., 2172 Rayburn.

Committee on Homeland Security, hearing entitled ''The President's Fiscal Year 2011 Budget Request for the Department of Homeland Security,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, hearing on Competition in the Media and Entertainment Distribution Market, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 3511, Marianas Trench Marine National Monument Visitor Facility Authorization Act of 2009; and H.R. 4493, Bonitan Tasi, 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 2100, To provide for the conveyance of certain public lands in Mohave Valley, Mohave County, Arizona, administered by the Bureau of Land Management to the Arizona Game and Fish Department, for use as a public shooting range; H.R. 3425, To authorize the Fair Housing Commemorative Foundation to establish a commemorative work on Federal land in the District of Columbia to commemorate the enactment of the Fair Housing Act of 1968; H.R. 4438, San Antonio Missions National Historical Park Leasing and Boundary Expansion Act of 2010; H.R. 4491, Buffalo Soldiers in the National Parks Study Act; and H.R. 4524, Blue Ridge Parkway Protection Act, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Domestic Policy, hearing entitled ''Foreclosures Continue: What Needs to Change in the Administration's Response,'' 2 p.m., 2154 Rayburn.

Committee on Science and Technology, hearing on NASA's Fiscal Year 2011 Budget Request and Issues, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on Fiscal Year 2011 Budget for the Coast Guard, the Maritime Administration and the Federal Maritime Commission, 10 a.m., 2167 Rayburn.

Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on EDA: Lessons Learned From the Recovery Act and New Plans to Strengthen Economic Development, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on the following bills: H.R. 3257, Military Family Leave Act of 2009; H.R. 3484, To amend title 38, United States Code, to extend the authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs; H.R. 3579, To amend title 38, United States Code, to provide for an increase in the amount of the reporting fees payable to educational institutions that enroll veterans receiving educational assistance from the Department of Veterans Affairs; H.R. 3813, Veterans Training Act; H.R. 3948, Test Prep for Heros Act; H.R. 3976, Helping Heroes Keep Their Homes Act of 2009; H.R. 4079, To amend title 38, United States Code, to temporarily remove the requirement for employers to increase wages for veterans enrolled in on-the-job training programs; H.R. 4203, To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide veterans certain educational assistance payments through direct deposit; H.R. 4359, WARMER Act; H.R. 4469, To amend the Servicemembers Civil Relief Act to provide for protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation; and H.R. 4592, To provide for the establishment of a pilot program to encourage the employment of veterans in energy-related positions, 2 p.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on Cyber Security Defense, 9 a.m., 304–HVC.

Next Meeting of the SENATE

10 a.m., Thursday, February 25

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 1299, United States Capitol Police Administrative Technical Corrections Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 25

House Chamber

Program for Thursday: Consideration of H.R. 2701—Intelligence Authorization Act for Fiscal Year 2010 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Alexander, Rodney, La., E227
Barrow, John, Ga., E230
Brown-Waite, Ginny, Fla., E224
Capps, Lois, Calif., E225
Coffman, Mike, Colo., E230
Connolly, Gerald E., Va., E227
Conyers, John, Jr., Mich., E221, E230
Davis, Susan A., Calif., E229
DeLauro, Rosa L., Conn., E222
Giffords, Gabrielle, Ariz., E221
Grayson, Alan, Fla., E233
Griffith, Parker, Ala., E230
Halvorson, Deborah L., Ill., E231
Higgins, Brian, N.Y., E219
Israel, Steve, N.Y., E220, E221, E221, E222, E223, E224, E224, E225, E225, E226
Jordan, Jim, Ohio, E225
Langevin, James R., R.I., E221
Latham, Tom, Iowa, E226
Mack, Connie, Fla., E227
Matsui, Doris O., Calif., E226
Michaud, Michael H., Me., E220
Miller, George, Calif., E232
Miller, Jeff, Fla., E219, E220
Moran, James P., Va., E222
Nadler, Jerrold, N.Y., E222
Norton, Eleanor Holmes, D.C., E223
Oberstar, James L., Minn., E231
Ortiz, Solomon P., Tex., E223
Peters, Gary C., Mich., E224
Quigley, Mike, Ill., E222, E224
Radanovich, George, Calif., E220, E225, E228, E232
Rangel, Charles B., N.Y., E228
Sánchez, Linda T., Calif., E229
Schiff, Adam B., Calif., E229, E232
Smith, Adam, Wash., E219, E225
Thompson, Mike, Calif., E220
Wamp, Zach, Tenn., E229
Wolf, Frank R., Va., E219, E230
Young, C.W. Bill, Fla., E226

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